



**AGENDA**  
**CITY PLANNING COMMISSION**

City Hall - Council Chambers  
6131 Taylorsville Road  
June 14, 2022  
6:00 P.M.

1. Call Meeting To Order
2. Roll Call
3. Opening Remarks By The Chair and Commissioners
4. Citizens Comments
5. Swearing of Witnesses
6. Pending Business
7. New Business
  - A. FINAL PLAT - The applicant, DEC Land Co. I LLC, is requesting approval of the final plat for 62 building lots in Carriage Trails - Section 2, Phase 5 (FP 22-23).
  - B. FINAL PLAT - The applicant, GENERATIONS CONSTRUCTION, LLC, is requesting approval of the final plat for 14 building lots in Callamere Farms - Section 6 (FP 22-26).

- C. MINOR CHANGE - The applicant, MELISSA BARRETT, is requesting approval of a Minor Change to increase the wall sign area by approximately 60 at Kohl's/Sephora in the Northpark Center (MC 22-24).
- D. BASIC DEVELOPMENT PLAN AND REZONING - The applicant, HARTMAN I, LLC, is requesting approval of a Basic Development Plan and Rezoning to Planned Office (PO). Property is located at 7611 Old Troy Pike (RZ BDP 22-13).
- E. BASIC DEVELOPMENT PLAN - The applicant, HOMESTEAD DEVELOPMENT, is requesting approval of a Basic Development Plan to construct 135-unit senior community and a 192-unit market rate community on a combined 15.56 acres. Property is located at 6209 Brandt Pike (BDP 22-25).

8. Additional Business

9. Approval of Minutes

10. Reports and Calendar Review

- A. Detailed Development Plan - The Waverly  
Detailed Development Plan - Sheetz  
Major Change - Wayne High School

11. Upcoming Meetings

- A. June 28, 2022  
July 12, 2022

12. Adjournment

AI-8451

7. A.

**Planning Commission**

Meeting Date: 06/14/2022

Final Plat

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Information

Agenda Title

FINAL PLAT - The applicant, DEC Land Co. I LLC, is requesting approval of the final plat for 62 building lots in Carriage Trails - Section 2, Phase 5 (FP 22-23).

Purpose and Background

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Attachments

Staff Report

Decision Record

Drawings

Fire Assessment

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# Memorandum

Staff Report for Meeting of June 14, 2022

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, Interim City Planner  
Community Planning Insights

Date: June 4, 2022

Subject: FP 22-23 Final Plat for Carriage Trails, Section 2, Phase 5

Application dated May 2, 2022

Department of Planning and Zoning

City of Huber Heights

<b>APPLICANT/OWNER:</b>	DEC Land Co. I LLC – Applicant / Owner
<b>DEVELOPMENT NAME:</b>	Carriage Trails
<b>ADDRESS/LOCATION:</b>	East of the intersection of Red Buckey Drive and Blue Ash Way.
<b>ZONING/ACREAGE:</b>	Planned Mixed Use / 16.32 Acres
<b>EXISTING LAND USE:</b>	Residential
<b>ZONING ADJACENT LAND:</b>	Planned Mixed Use
<b>REQUEST:</b>	The applicant requests approval of the final plat for 62 building lots in Carriage Trails – Section 2, Phase 5.
<b>ORIGINAL APPROVAL:</b>	Carriage Trails Development - 2008
<b>APPLICABLE HHCC:</b>	Chapter 1171, 1179
<b>CORRESPONDENCE:</b>	In Favor – None Received In Opposition – None Received



## **STAFF ANALYSIS AND RECOMMENDATION:**

### **Overview**

The applicant requests approval of the final plat for section two, phase five of the Carriage Trails subdivision. This phase contains 62 lots on approximately 16.32 acres.

### **Conformance with Zoning Regulations**

The detailed development plan was approved by the Planning Commission on August 10, 2021.

### **Staff Analysis**

The applicant requests approval of the final plat for section two, phase five of the Carriage Trails subdivision. This final plat accurately reflects the DDP and simply releases drainage easements between two sections.

### **Additional Comments:**

**Fire:** None

**City Engineer:** None

### **Recommendation**

Staff recommends approval of the final plat submitted on May 2, 2022.

### **Planning Commission Action**

Planning Commission may take the following actions with a motion to:

- 1) Approve the Final Plat as submitted (staff recommendation);
- 2) Approve the Final Plat with conditions; or,
- 3) Deny the Record Plan.



## **Planning Commission Decision Record**

WHEREAS, on May 2, 2022, the applicant, DEC Land Co. I, LLC, requested approval of a Final Plat for Section 2, Phase V of the Carriage Trails Development (Case FP 22-23), and;

WHEREAS, on June 14, 2022, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

\_\_\_\_\_ moved to approve the request by the applicant, DEC Land Co. I, LLC, for approval of the Final Plat for Section 2, Phase V of the Carriage Trails Development (Case FP 22-23) in accordance with the recommendation of Staff's Memorandum dated June 4, 2022, with the following conditions:

1. Applicant shall comply with all Fire Department conditions.

Seconded by \_\_\_\_\_ Roll call showed: YEAS:    NAYS:    Motion to recommend approval carried \_\_\_\_ .

\_\_\_\_\_  
Terry Walton, Chair  
Planning Commission

\_\_\_\_\_  
Date

# DESCRIPTION

BEING A REPLAT OF PART OF INLOT 353 AS CONVEYED TO DEC LAND CO. I LLC, BY DEED RECORDED IN OFFICIAL RECORD VOLUME 322, PAGE 782, AND A REPLAT OF PART OF INLOT 356 AS CONVEYED TO DEC LAND CO. I LLC, BY DEED RECORDED IN DEED BOOK VOLUME 792, PAGE 922 RECORDED IN THE MIAMI COUNTY RECORDER'S RECORDS.

## PROPERTY OWNERS CONSENT

THE UNDERSIGNED, DIANA K. COLYER ON BEHALF OF DEC LAND CO. I LLC, BEING THE OWNER OF THE PARCEL HEREIN REPLATTED, DOES HEREBY CONSENT TO THE EXECUTION OF SAID REPLAT AS SHOWN HEREON AND HEREBY DEDICATES TO THE PUBLIC USE FOREVER THE STREETS AND EASEMENTS SHOWN HEREON.

EASEMENTS SHOWN HERE ON THE WITHIN PLAT ARE TO BE RESERVED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, SANITARY SEWER, STORM SEWER, GAS, ELECTRIC, TELEPHONE OR OTHER UTILITY LINES OR SERVICES AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY OR ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID EASEMENT AND FOR PROVIDING INGRESS TO AND EGRESS FROM THE PREMISES FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER.

WITNESS  
DEC Land Co. I LLC  
By: Carriage Trails  
at The Heights LLC

By: Diana K. Colyer,  
Assistant Secretary  
and Treasurer

STATE OF OHIO, COUNTY OF \_\_\_\_\_, SS:

BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME DIANA K. COLYER, FOR SAID OWNER, WHOM ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FORGOING PLAT TO BE HER VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF DEC LAND CO. I LLC. IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND NOTARY SEAL ON THE DAY AND DATE ABOVE WRITTEN.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC  
CONSENT OF LIENHOLDER  
WESBANCO BANK, INC.

BY: \_\_\_\_\_  
PRINT: DAVID P. DUNCAN  
TITLE: SENIOR VICE PRESIDENT

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, SS:

BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DAVID P. DUNCAN, SENIOR VICE PRESIDENT OF WESBANCO BANK, INC., WHO REPRESENTED THAT THEY ARE DULY AUTHORIZED IN THE PREMISES AND WHO ACKNOWLEDGED THAT THEY DID SIGN THE FORGOING INSTRUMENT AND THAT THE SAME IS THEIR VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES IN SAID INSTRUMENT MENTIONED. IN TESTIMONY WHEREOF, I HEREBY SET MY HAND AND AFFIX MY NOTARY SEAL ON THE DAY AND DATE AFORESAID.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

# CARRIAGE TRAILS

## SECTION 2 - PHASE V PART INLOTS 353 & 356

STATE OF OHIO, COUNTY OF MIAMI, CITY OF HUBER HEIGHTS,  
MARCH 2022



LOCATION MAP  
NO SCALE

### M.O.A. RESTRICTIONS:

All of the lots in Carriage Trails Section 2, Phase V, are Subject to the Declaration of Covenants, Conditions, Restrictions and Easements of the Master Owners Association as recorded in Official Record Volume 0029, Pages 135-210 of the Miami County, Ohio, Recorder's Office. Restrictions created in this Declaration are intended for the benefit of and are binding on all lots in the subdivision.

### NEIGHBORHOOD DRAINAGE PATTERN

Unless otherwise designated a five foot wide private drainage easement shall exist along all common lot lines, the common lot line being the centerline of said easement.

### BUILDING SETBACKS

Setback lines shown on this plat depict current zoning requirements only and are not intended to create additional restrictions on the use of the lots. In all cases of conflict with local zoning regulations, the local zoning requirements shall control.

### EASEMENTS

Easements outside of the platted area are on lands owned by DEC Land Co. I LLC and are to be used for utilities for future development.

### GREEN SPACE

LOTS \_\_\_\_\_ & \_\_\_\_\_ ARE NON-BUILDABLE, GREEN SPACE LOTS AND WILL BE OWNED AND MAINTAINED BY THE MASTER OWNERS ASSOCIATION.

### BASIS OF BEARINGS

BEARINGS ARE BASED ON THE NAD 83 OHIO STATE PLANE COORDINATE SYSTEM, GRID SOUTH ZONE.

### REFERENCES:

MIAMI COUNTY RECORDER'S DEED RECORDS:  
VOL. 790, PG. 219, O.R. 322, PG. 782

MIAMI COUNTY RECORDERS PLAT RECORDS  
P.B. 25, PG. 83 P.B. 27, PG. 71  
P.B. 25, PG. 100 P.B. 27, PG. 72  
P.B. 22, PG. 37 P.B. 26, PG. 23

MIAMI COUNTY ENGINEER'S RECORDS OF LAND SURVEYS:  
VOLUME 56, PAGE 186 VOLUME 34, PAGE 9  
VOLUME 54, PAGE 36 VOLUME 22, PAGE 37

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_  
MIAMI COUNTY RECORDER'S RECORD OF PLATS

FEE \$ \_\_\_\_\_

MIAMI COUNTY RECORDER BY DEPUTY RECORDER

MIAMI COUNTY AUDITOR  
APPROVED AND TRANSFERRED \_\_\_\_\_, 2022.

MIAMI COUNTY AUDITOR

BY DEPUTY AUDITOR

APPROVED:

THE WITHIN PLAT DEDICATION WAS APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF HUBER HEIGHTS, OHIO, IN ACCORDANCE WITH SECTION 1107.12 OF THE CITY'S SUBDIVISION REGULATIONS

ON \_\_\_\_\_, 2022

CHAIR OF THE HUBER HEIGHTS PLANNING COMMISSION

CERTIFICATION

THE WITHIN PLAT IS A REPLAT OF LAND CONTAINING 239.801 ACRES AS DESCRIBED IN A DEED TO DEC LAND CO. I LLC OF RECORD IN OFFICIAL RECORD VOLUME 322, PAGE 782, AND REPLAT OF LAND CONTAINING 100.029 ACRES AS DESCRIBED IN A DEED TO DEC LAND CO. I LLC OF RECORD IN DEED BOOK VOLUME 792, PAGE 922, AS RECORDED IN THE DEED RECORDS OF MIAMI COUNTY, OHIO.

THE MEASUREMENTS ARE CERTIFIED CORRECT AND IRON PINS WILL BE SET AS SHOWN.

IBI GROUP

BY: \_\_\_\_\_  
David L. Chiesa P.S.  
Registered Surveyor No. 7740

DEVELOPER  
DEC LAND CO. I LLC  
5131 POST ROAD, SUITE 101  
DUBLIN, OHIO 43017



8101 N. High Street  
Columbus, OH 43235  
Contact: DAVE CHIESA  
614-818-4900 ext. 225  
Fax: 614-818-4902  
www.ibigroup.com

1/3

PT. INLOT 1080  
P.B. 25, PG. 100

PT. INLOT 1080  
P.B. 25, PG. 100

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_  
MIAMI COUNTY RECORDER'S RECORD

EX. 25 SANITARY SEWER EASEMENT  
P.B. 22, PG. 80

WCT DAYTON, LLC &  
WCT DAYTON E, LLC  
DEED 201908-00703  
25.0747 ACRES  
INLOT 1079  
P.B. 25, PG. 63

CHANNINGWAY  
DEED-03-134198  
10.959 ACRES

THE CITY OF HUBER HEIGHTS  
DEED 90-0026 C05  
10.637 ACRES

- LEGEND**
- IRON PIN FOUND  
PREVIOUSLY SET BY IBI GROUP
  - IRON PIN SET-5/8" REBAR  
30" LONG W/PLASTIC CAP  
"BI GROUP 6872/7740"
  - U/E UTILITY EASEMENT
  - B/L BUILDING SETBACK LINE
  - D/E DRAINAGE EASEMENT
  - \*N.V.A. NO VEHICULAR ACCESS  
TO ANY LOT ADJACENT  
TO RED BUCKEYE DRIVE.



NORTH



( IN FEET )  
1 inch = 60 ft.

# CARRIAGE TRAILS SECTION 2 PHASE V

2/3

DRAINAGE EASEMENT AREAS OF  
RECORD IN PLAT BOOK 27,  
PAGES 71 & 71A AND PLAT  
BOOK 27, PAGES 72 & 72A TO  
BE RELEASED BY THIS PLAT.



Curve Table					
Curve #	Length	Radius	Delta	CB	CHORD
C1	30.52'	225.00'	746°14"	S47°10'10"E	30.49'
C2	20.25'	225.00'	509°25"	S53°37'49"E	20.24'
C3	161.48'	325.00'	2828°05"	S70°26'34"E	159.82'
C4	27.65'	325.00'	452°31"	S82°14'21"E	27.65'
C5	108.25'	325.00'	1905°03"	S56°15'34"E	107.75'
C6	25.57'	325.00'	430°31"	S78°27'49"E	25.57'
C7	34.90'	25.00'	79°58'54"	S73°46'55"W	32.13'
C8	63.94'	270.00'	133°4'08"	S72°00'25"E	63.79'
C9	61.11'	270.00'	125°8'08"	S13°44'17"E	60.88'
C10	39.27'	25.00'	90°00'01"	S37°44'47"E	35.36'
C11	25.23'	30.00'	48°1'23"	N73°09'31"E	24.49'
C12	12.09'	80.00'	11°32'31"	S54°50'05"W	12.08'
C13	67.11'	60.00'	64°05'12"	N8°22'05"W	63.67'
C14	48.51'	60.00'	46°19'20"	N32°08'47"W	47.28'
C15	38.44'	60.00'	36°42'43"	N6°22'14"E	37.79'
C16	39.53'	60.00'	37°45'11"	N46°36'11"E	38.82'
C17	42.16'	60.00'	40°15'36"	N85°36'14"E	41.30'
C18	41.58'	60.00'	39°42'13"	S54°24'31"E	40.75'
C19	22.00'	30.00'	42°00'46"	N55°33'48"E	21.51'
C20	3.23'	30.00'	6°10'37"	N79°39'29"W	3.23'
C21	289.42'	80.00'	278°22'46"	N71°15'12"E	80.00'
C22	30.31'	430.00'	4°02'17"	S80°43'39"E	30.30'
C23	52.01'	430.00'	5°55'48"	S75°14'36"E	51.98'
C24	58.48'	430.00'	7°47'34"	S67°52'55"E	58.44'
C25	34.95'	430.00'	4°39'23"	S61°39'28"E	34.94'
C26	24.10'	220.00'	6°16'37"	S56°11'26"E	24.09'
C27	48.21'	220.00'	12°48'57"	S43°38'39"E	48.19'
C28	52.87'	220.00'	13°46'11"	S36°21'06"E	52.74'


Curve Table					
Curve #	Length	Radius	Delta	CB	CHORD
C29	23.25'	170.00'	75°05'58"	N30°23'29"W	23.27'
C30	46.66'	170.00'	15°44'13"	N42°41'05"W	49.48'
C31	13.26'	230.00'	37°8'14"	N48°24'05"W	13.26'
C32	48.40'	230.00'	12°03'28"	N41°43'14"E	48.33'
C33	37.03'	230.00'	9°13'29"	N31°44'45"W	36.99'
C34	17.09'	160.00'	60°7'11"	S29°31'36"E	17.08'
C35	74.68'	160.00'	26°44'33"	S45°57'28"E	74.00'
C36	27.95'	370.00'	14°39'39"	S61°29'34"E	27.94'
C37	123.28'	370.00'	19°05'24"	S73°21'09"E	122.71'
C38	39.27'	25.00'	90°00'00"	N52°15'12"E	35.36'
C39	35.36'	330.00'	5°08'23"	S101°8'24"W	35.35'
C40	30.37'	25.00'	66°36'07"	N21°24'28"E	28.54'
C41	36.44'	405.00'	5°06'20"	S53°37'52"E	36.43'
C42	30.85'	355.00'	4°58'46"	S53°43'09"E	30.84'
C43	40.94'	25.00'	93°49'59"	N76°52'29"E	36.52'
C44	22.08'	330.00'	3°49'59"	S75°52'29"W	22.07'
C45	39.27'	25.00'	90°00'00"	N111°2'32"W	35.36'
C46	19.22'	225.00'	4°53'37"	S53°45'43"E	19.21'
C47	1.03'	225.00'	01°54'33"	S51°11'03"E	1.03'
C48	4.34'	225.00'	1°06'20"	S50°30'02"E	4.34'
C49	26.16'	225.00'	6°39'44"	S46°36'58"E	26.15'
C50	34.19'	380.00'	5°09'20"	S53°37'52"E	34.18'
C51	85.82'	200.00'	24°35'11"	N48°45'36"W	85.17'
C52	108.85'	190.00'	32°51'44"	S43°53'52"E	107.49'
C53	183.49'	400.00'	23°25'03"	S71°02'18"E	182.35'
C54	138.95'	300.00'	26°32'16"	S26°31'20"W	137.71'
C55	74.49'	300.00'	14°13'38"	S20°40'58"W	74.30'
C56	1.09'	355.00'	01°07'34"	S51°08'29"E	1.09'

### LEGEND

- IRON PIN FOUND  
PREVIOUSLY SET BY IBI GROUP
- IRON PIN SET-5/8" REBAR  
30" LONG W/PLASTIC CAP  
"IBI GROUP 6872/7740"

U/E UTILITY EASEMENT  
B/L BUILDING SETBACK LINE  
D/E DRAINAGE EASEMENT

\*N.V.A. NO VEHICULAR ACCESS  
TO ANY LOT ADJACENT  
TO RED BUCKEYE DRIVE.

 DRAINAGE EASEMENT AREAS OF  
RECORD IN PLAT BOOK 27,  
PAGES 71 & 71A AND PLAT  
BOOK 27, PAGES 72 & 72A TO  
BE RELEASED BY THIS PLAT.

EAST PART INLOT 353B (P48-000424)  
3.583 ACRES

INLOT 356 (P48-000951)  
24.139 ACRES

-12.746 ACRES (SECTION 2 PHASE V)  
11.393 ACRES REMAINING

CARRIAGE TRAILS  
SECTION 2 PHASE V

13.407 ACRES LOTS  
+ 2.918 ACRES RIGHT-OF-WAY  
16.325 ACRES TOTAL



# Huber Heights Fire Division

**Inspections require two business days advance notice! (OAC)1301:7-7-09(A)(5)**

Occupancy Name:	Carriage Trails
Occupancy Address:	Section 2, Phase 5

Type of Permit:	HHP&D Site Plan
Additional Permits:	Choose an item.

MCBR BLD:	N/A	HH P&D:	N/A
MCBR MEC:	N/A	HHFD Plan:	22-121
MCBR ELE:	N/A	HHFD Box:	49
REVIEWER:	Susong	DATE:	6/7/2022

## **Fire Department Comments:**

**The Huber Heights City Code Part 15 Refers to Fire Code Requirements and has adopted by reference OFC and IFC Appendices**

**Approved per Review of Ohio Fire Code and adopted Life Safety Standards related to Drive Access and Hydrant Placement.**

### **Requirements:**

- **Fire Hydrants:** Hydrants shall be spaced no greater than 500 feet apart and within 400 feet from any opening in any building. **Site utility plan has not been provided and shall be submitted before construction.**
- In accordance with Huber Heights Codified Ordinance 1521.06 (b)(1), "The Fire Code Official shall make a determination if a double Storz hydrant is needed in residential areas with single family homes greater than 3600 square feet." If homes in this area exceed 3600 sq. ft. please advise.

Please reference contact information below for questions or concerns with this document.

Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in **ALL** respects to this code, as prescribed in **SECTION (D) 104.1 of the 2011 Ohio Fire Code**. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with **ALL** applicable requirements of this code. These plans have been reviewed for compliance with the Ohio Fire Code adopted by this jurisdiction. There may be other regulations applicable under local, state, or federal statutes and codes, which this department has no authority to enforce and therefore have not been evaluated as part of this plan review.

AI-8452

7. B.

**Planning Commission**

Meeting Date: 06/14/2022

Final Plat

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Information

Agenda Title

FINAL PLAT - The applicant, GENERATIONS CONSTRUCTION, LLC, is requesting approval of the final plat for 14 building lots in Callamere Farms - Section 6 (FP 22-26).

Purpose and Background

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Attachments

Staff Report

Decision Record

Drawing

Drawing

Fire Assessment

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# Memorandum

Staff Report for Meeting of June 14, 2022

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, Interim City Planner  
Community Planning Insights

Date: June 4, 2022

Subject: FP 22-26 Final Plat for Callamere Farms, Section 6

Application dated May 30, 2022

Department of Planning and Zoning

City of Huber Heights

**APPLICANT/OWNER:** Generations Construction, LLC – Applicant  
TPG Properties - Owner

**DEVELOPMENT NAME:** Callamere Farms

**ADDRESS/LOCATION:** South end of Callamere Farms Drive

**ZONING/ACREAGE:** Planned Residential (PR) / 8.033 acres

**EXISTING LAND USE:** Residential

**ZONING  
ADJACENT LAND:** PR, A

**REQUEST:** The applicant requests approval of the final plat for 14 building lots in Callamere Farms – Section 6.

**ORIGINAL APPROVAL:** March 23, 2021 (DDP for Section 6)

**APPLICABLE HHCC:** Chapter 1172

**CORRESPONDENCE:** In Favor – None Received  
In Opposition – None Received



## **STAFF ANALYSIS AND RECOMMENDATION:**

### **Overview**

The applicant requests approval of the final plat for section six of the Callamere Farms subdivision. This phase contains 14 lots on approximately 8.03 acres.

### **Conformance with Zoning Regulations**

The detailed development plan was approved by the Planning Commission on March 23, 2021.

### **Staff Analysis**

The applicant requests approval of the final plat for section six of the Callamere Farms subdivision. This final plat accurately reflects the DDP previously approved by the Planning Commission.

### **Additional Comments:**

**Fire:** None

**City Engineer:** None

### **Recommendation**

Staff recommends approval of the final plat submitted on May 30, 2022.

### **Planning Commission Action**

Planning Commission may take the following actions with a motion to:

- 1) Approve the Final Plat as submitted (staff recommendation);
- 2) Approve the Final Plat with conditions; or,
- 3) Deny the Record Plan.



## **Planning Commission Decision Record**

WHEREAS, on May 30, 2022, the applicant, Generations Construction, LLC, requested approval of a Final Plat for Section 6, of the Callamere Farms Development, further identified as Parcel Number P70 03904 0005 of the Montgomery County Auditor's Map (Case FP 22-26), and;

WHEREAS, on June 14, 2022, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

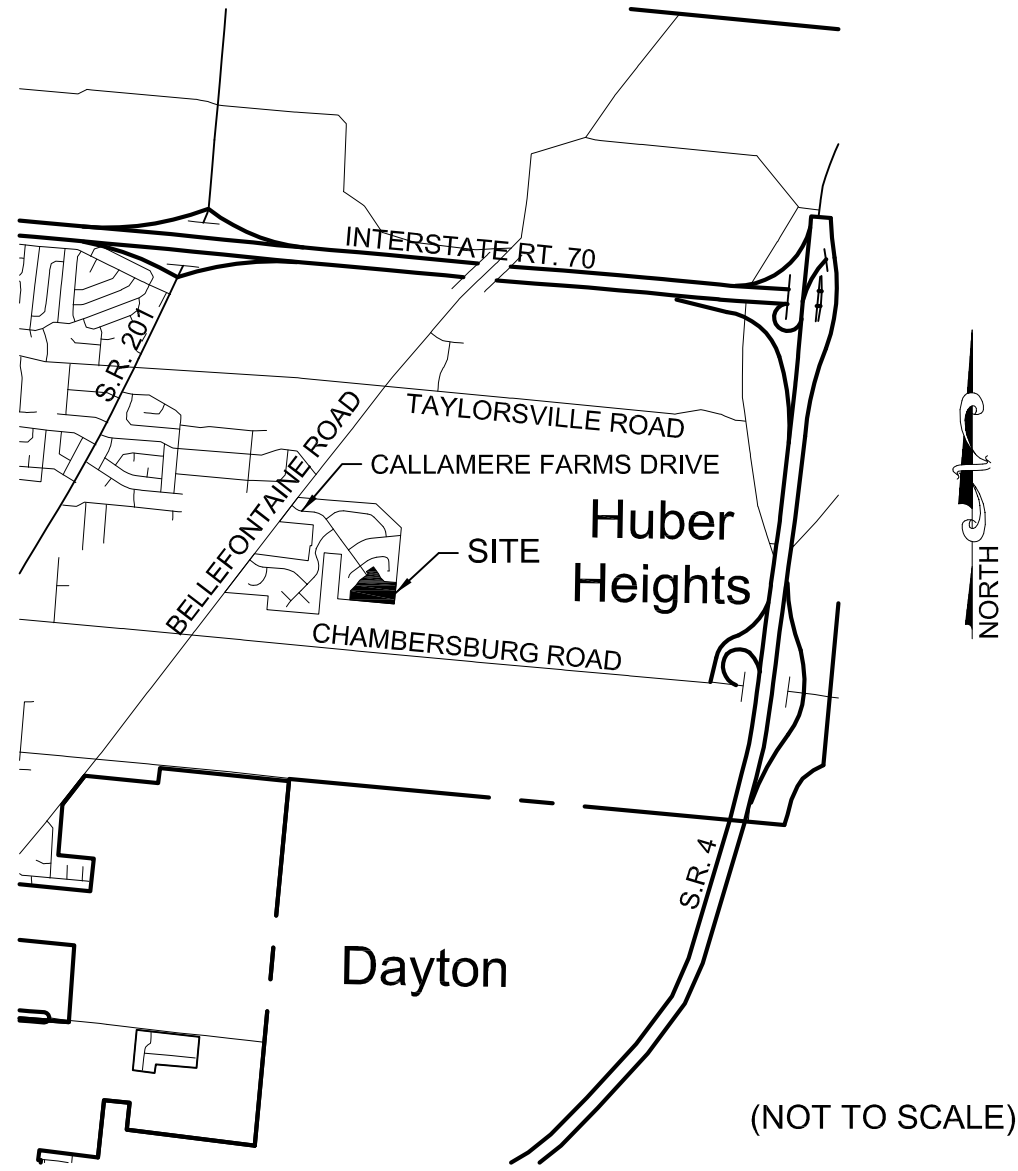
\_\_\_\_\_ moved to approve the request by the applicant, Generations Construction, LLC, for approval of the Final Plat for Section 6, of the Callamere Farms Development (Case FP 22-26) in accordance with the recommendation of Staff's Memorandum dated June 4, 2022, with the following conditions:

1. Applicant shall comply with all original Fire Department conditions.

Seconded by \_\_\_\_\_. Roll call showed: YEAS: \_\_\_\_\_ NAYS: \_\_\_\_\_ Motion to recommend approval carried \_\_\_\_.

\_\_\_\_\_  
Terry Walton, Chair  
Planning Commission

\_\_\_\_\_  
Date



VICINITY MAP

OWNER/DEVELOPER

TPG PROPERTIES LP  
7300 WHIPPLE AVE.  
SUITE # 8  
NORTH CANTON, OH 44720

RECORD PLAN  
CALLAMERE FARMS  
SECTION SIX

NORTHWEST 1/4 OF SECTION 10, TOWN 2, RANGE 8, M.Rs.  
CITY OF HUBER HEIGHTS  
MONTGOMERY COUNTY, OHIO

CONTAINING: 8.033 ACRES

ACREAGE TABULATION

6.645 Acres in Residential Lots (14 Total)  
1.388 Acres in Right-of-Way  
8.033 Acres TOTAL

COVENANTS, CONDITIONS AND RESTRICTIONS

THE LOTS OF THE WITHIN SUBDIVISION ARE GOVERNED BY THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, ASSESSMENTS, ARTICLES OF INCORPORATION AND BY-LAWS OF THE "CALLAMERE FARMS SUBDIVISION HOMEOWNERS ASSOCIATION", ALL OF WHICH ARE RECORDED IN M.F. #00-031 B08 OF THE DEED RECORDS OF MONTGOMERY COUNTY.

DESCRIPTION

THE WITHIN PLAT IS SITUATE IN THE NORTHWEST QUARTER OF SECTION 10, TOWN 2, RANGE 8 M.Rs., CITY OF HUBER HEIGHTS, COUNTY OF MONTGOMERY, STATE OF OHIO AND BEING 8.033 ACRES OUT OF THE 56.945 ACRE TRACT CONVEYED TO TPG PROPERTIES LP BY M.F. 00-313B01 ON FILE WITH THE MONTGOMERY COUNTY, OHIO RECORDER'S OFFICE.

DEDICATION

WE THE UNDERSIGNED, BEING ALL THE OWNERS OF THE LANDS HEREIN PLATTED, DO HEREBY ADOPT AND CONFIRM THE MAKING AND SIGNING OF THIS INSTRUMENT TO BE OUR VOLUNTARY ACT AND DEED, AND DO HEREBY DEDICATE THE STREETS TO THE PUBLIC USE FOREVER, AND DO HEREBY RESERVE THE EASEMENTS AS SHOWN ON THE WITHIN PLAT FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, GAS, SEWER, ELECTRIC, TELEPHONE, TELECOMMUNICATIONS OR OTHER UTILITIES OR SERVICES, AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES AND FOR PROVISIONS OF INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES, AND ARE TO BE MAINTAINED AS SUCH FOREVER.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF: OWNER  
TPG PROPERTIES LP

WITNESS BY: ITS:

PRINTED NAME

STATE OF OHIO, COUNTY OF

BE IT REMEMBERED THAT ON THIS DAY OF 20, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME TPG PROPERTIES LP, BY ITS KNOWN, AND ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING PLAT TO BE THEIR VOLUNTARY ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC



SUPERIMPOSED AREA MAP

APPROVAL

APPROVED THIS DAY OF 20 BY THE PLANNING COMMISSION OF THE CITY OF HUBER HEIGHTS, OHIO.

CHAIRMAN

APPROVED FOR DESCRIPTION

MONTGOMERY COUNTY ENGINEER DATE

CHECKED BY DATE

FILE #

CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 STANDARDS FOR BOUNDARY SURVEYS AND IS AN ACCURATE REPRESENTATION OF AN ACTUAL FIELD SURVEY PERFORMED BY OUR COMPANY SURVEYORS UNDER MY SUPERVISION IN MAY, 2022. ALL MONUMENTATION HAS BEEN FOUND OR IS TO BE SET AS SHOWN.

RANDY H. NORFLEET, P.S. DATE  
OHIO LICENSE NO. 6834



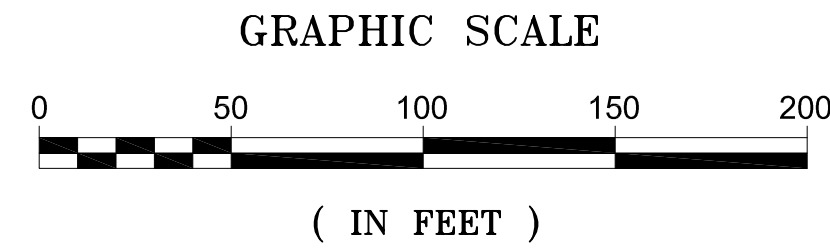
THIS INSTRUMENT PREPARED BY:

NORFLEET, BROWN & PETKEWICZ INC.  
Civil Engineers & Surveyors  
228 Byers Road, Suite 204  
Miamisburg, Ohio 45342  
Ph (937)847-2313 Fax (937)847-2303

SCALE: AS NOTED DRAWN: DOM CHK'D: DATE: MAY 18, 2022 JOB No.: 2020-7680



BASIS OF BEARINGS ESTABLISHED AS N 33°08'27" E  
ALONG THE CENTERLINE OF BELLEFONTAINE ROAD  
AS RECORDED ON SURVEY RECORD VOL. 2002,  
PAGE 0186 OF MONTGOMERY COUNTY, OHIO  
RECORD OF LAND SURVEYS.



RECORD PLAN

# CALLAMERE FARMS

## SECTION SIX

NORTHWEST 1/4 OF SECTION 10, TOWN 2, RANGE 8, M.Rs.  
CITY OF HUBER HEIGHTS  
MONTGOMERY COUNTY, OHIO

CONTAINING: 8.033 ACRES

CURVE TABLE					
Curve	Radius	Delta	Length	Chord Bearing	Chord
C1	275.00	48°48'43"	234.28	S 64°52'48" E	227.26
C2	245.00	48°48'43"	208.72	S 64°52'48" E	202.47
C3	50.00	36°52'12"	32.18	N 70°51'04" W	31.62
C4	305.00	48°48'43"	259.84	N 64°52'48" W	252.05
C5	50.00	240°00'00"	209.44	N 70°28'27" W	86.60
C6	245.00	21°32'45"	92.13	N 51°14'50" W	91.59
C7	245.00	27°15'58"	116.59	N 75°39'11" W	115.49
C8	50.00	36°52'12"	32.18	S 72°16'44" W	31.62
C9	50.00	73°44'23"	64.35	N 89°17'10" W	60.00
C10	50.00	36°52'12"	32.18	N 70°51'04" W	31.62
C11	50.00	36°52'12"	32.18	N 72°16'44" E	31.62
C12	50.00	73°44'23"	64.35	S 89°17'10" E	60.00
C13	50.00	09°09'49"	8.00	S 56°59'53" E	7.99
C14	50.00	27°42'23"	24.18	S 75°25'59" E	23.94
C15	305.00	13°16'41"	70.68	S 82°38'49" E	70.52
C16	305.00	16°02'52"	85.43	S 67°59'03" E	85.15
C17	305.00	19°29'10"	103.73	S 50°13'02" E	103.23
C18	15.00	90°00'00"	23.56	S 85°28'27" E	21.21
C19	50.00	60°00'00"	52.36	N 19°31'33" E	50.00
C20	50.00	101°13'32"	88.34	N 40°08'19" E	77.29
C21	50.00	90°00'00"	78.54	S 44°14'55" E	70.71
C22	50.00	48°46'28"	42.56	S 25°08'19" W	41.29
C23	15.00	90°00'00"	23.56	S 04°31'33" W	21.21

### LEGEND

- 5/8" RE-BAR SET W/ PLASTIC CAP (AT GRADE)
- 5/8" RE-BAR FOUND, UNLESS OTHERWISE AS NOTED
- ⊕ MAG NAIL SET
- ◆ MAG NAIL FOUND

M.B.S.L. = MINIMUM BUILDING SETBACK LINE

### PERTINENT DOCUMENTS

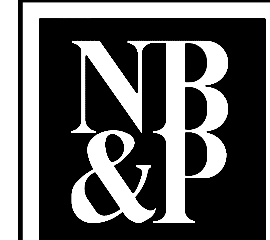
IN ADDITION TO THE REFERENCES SHOWN ON THE  
FACE OF THIS PLAT, THE FOLLOWING DOCUMENTS  
WERE USED: NONE

OCCUPATION IN GENERAL FITS THE SURVEYED LINES.

ALL MONUMENTATION FOUND OR SET IS IN GOOD  
CONDITION UNLESS OTHERWISE NOTED.

JOHN S. CONNOLLY, JR.  
& PAMELA J. CONNOLLY  
M.F. 94-583 A08  
10.659 ACRES

THIS INSTRUMENT PREPARED BY:



NORFLEET, BROWN  
& PETKEWICZ INC.  
*Civil Engineers & Surveyors*  
228 Byers Road, Suite 204  
Miamisburg, Ohio 45342  
Ph (937)947-2313 Fax (937)947-2303

SCALE: 1"=50'	DRAWN: DOM	CHK'D:
DATE: MAY 18, 2022	JOB No.: 2020-7680	

SHEET 2 OF 2



# Huber Heights Fire Division

**Inspections require two business days advance notice! (OAC)1301:7-7-09(A)(5)**

Occupancy Name:	Callamere Farms		
Occupancy Address:	Section 6		
Type of Permit:	HHP&D Site Plan		
Additional Permits:	Choose an item.		
Additional Permits:	Choose an item.		
MCBR BLD:	N/A	HH P&D:	N/A
MCBR MEC:	N/A	HHFD Plan:	21-051
MCBR ELE:	N/A	HHFD Box:	50
REVIEWER:	Susong	DATE:	3/19/2021

## **Fire Department Comments:**

The Huber Heights City Code Part 15 Refers to Fire Code Requirements and has adopted by reference OFC and IFC Appendices

**Approved per Review of Ohio Fire Code and adopted Life Safety Standards related to Drive Access and Hydrant Placement. (Review hydrant spacing before installation.)**

### **Requirements:**

- **Fire Hydrants:** Hydrants shall be spaced no greater than 500 feet apart and within 400 feet from any opening in any building. Please confirm locations.
- In accordance with Huber Heights Codified Ordinance 1521.06 (b)(1), "The Fire Code Official shall make a determination if a double Storz hydrant is needed in residential areas with single family homes greater than 3600 square feet." If homes in this area exceed 3600 sq. ft. please advise.

Please reference contact information below for questions or concerns with this document.

Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in **ALL** respects to this code, as prescribed in **SECTION (D) 104.1 of the 2011 Ohio Fire Code**. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with **ALL** applicable requirements of this code. These plans have been reviewed for compliance with the Ohio Fire Code adopted by this jurisdiction. There may be other regulations applicable under local, state, or federal statutes and codes, which this department has no authority to enforce and therefore have not been evaluated as part of this plan review

*Administrative Office: 7008 Brandt Pike Huber Heights, Ohio 45424*  
*Telephone: (937) 233 - 1564 Fax Number: (937) 233 - 4520*

AI-8453

7. C.

**Planning Commission**

Meeting Date: 06/14/2022

Minor Change

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Information

Agenda Title

MINOR CHANGE - The applicant, MELISSA BARRETT, is requesting approval of a Minor Change to increase the wall sign area by approximately 60 at Kohl's/Sephora in the Northpark Center (MC 22-24).

Purpose and Background

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Attachments

Staff Report

Decision Record

Sign Policy

Drawings

---

# Memorandum

Staff Report for Meeting of June 14, 2022

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, Interim City Planner  
Community Planning Insights

Date: June 4, 2022

Subject: MC 22-24 Minor Change to PUD Signs for Kohl's

Application dated May 24, 2022

Department of Planning and Zoning

City of Huber Heights

**APPLICANT/OWNER:** Melissa Barrett – Applicant  
Michael Anderson - Owner

**DEVELOPMENT NAME:** Northpark Center / Kohl's

**ADDRESS/LOCATION:** 8301 Old Troy Pike

**ZONING/ACREAGE:** Planned Commercial / 37 acres

**EXISTING LAND USE:** Retail

**ZONING  
ADJACENT LAND:** Commercial / Retail

**REQUEST:** The applicant requests approval to increase the wall sign area by approximately 60 feet.

**ORIGINAL APPROVAL:**

**APPLICABLE HHCC:** Chapter 1189; Northpark Center Sign Policy

**CORRESPONDENCE:** In Favor – None Received  
In Opposition – None Received

## **STAFF ANALYSIS AND RECOMMENDATION:**

### **Overview**

The applicant requests approval to add an additional copy to the existing wall sign, which will increase the size from approximately 192 SF to 252 SF. The request is to facilitate adding the “Sephora” brand to the existing Kohl’s sign.

### **Applicable Zoning Regulations**

#### **Chapter 1189 Signs**

##### **1189.05 Types of signs.**

(d) *Wall Signs.* Wall signs shall:

- (1) Not extend more than 12 inches from the wall of the building upon which they are mounted;
- (2) Not extend above the top of the wall and shall not extend beyond the limits of any wall to which they are attached;
- (3) Not mask or interrupt a major architectural feature (such as, but not limited to, doors, windows or trim); and
- (4) Have hidden structural supports.

- (i) *Planned Unit Development Sign Programs.* Signs which have been approved as part of a planned unit development sign program may vary from the requirements stated within this chapter. Variations permitted through a PUD sign program may include but are not limited to the following: total number of signs permitted, sign size, sign setback, sign height and percentage of sign area devoted to changeable copy or electronic copy. Such deviations are recognized to be primarily for safety or unique parcel configuration circumstances and are not intended to circumvent the intent of the sign code.

(Ord. 2013-O-2016, Passed 1-28-13; Ord. No. 2019-O-2398 , § 1, 10-14-19)

### **Conformance with Zoning Regulations**

#### **Northpark Center Sign Policy**

The Northpark Center sign guidelines allow large tenants (over 60,000 SF) to have a maximum wall sign area of up to 250 SF on any one building face and a maximum of 500 SF total. The Kohl’s tenant space is approximately 81,000 SF.

#### **Current Application**

The applicant seeks a minor change to add one 60 SF internally illuminated wall sign below the existing internally illuminated wall sign to highlight the two brands (Kohl’s and Sephora). The total wall sign area will increase from 192 SF to 252SF. With this additional sign, the wall signs slightly exceed the maximum size by 2 SF, which is a negligible overage amount.

### **Standards for Approval**



*Planned Unit Development Sign Programs.* Signs which have been approved as part of a planned unit development sign program may vary from the requirements stated within this chapter. Variations permitted through a PUD sign program may include but are not limited to the following: total number of signs permitted, sign size, sign setback, sign height and percentage of sign area devoted to changeable copy or electronic copy. Such deviations are recognized to be primarily for safety or unique parcel configuration circumstances and are not intended to circumvent the intent of the sign code.

#### **1171.11 Changes in the basic and detailed development plans.**

A PUD shall be developed only according to the approved and recorded detailed development plan and supporting data together with all recorded amendments and shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use of premises (including the internal use of buildings and structures) and location of structures in the PUD as set forth therein.

- (a) *Major Changes.* Changes which alter the concept, uses or intent of the PUD including increases in the number of units per acre, change in location or amount of nonresidential land uses, more than 15 percent modification in proportion of housing types, significant redesign of roadways, utilities or drainage, may be approved only by submission of a new basic plan and supporting data in accordance with Sections 1171.03, 1171.04 and 1171.05.
- (b) *Minor Changes.* The Zoning Officer recommends to the Planning Commission approval or disapproval of the minor changes in the PUD. Minor changes are defined as any change not defined as a major change.

#### **Staff Analysis**

The applicant seeks a minor change to add one internally illuminated wall sign below an existing internally illuminated wall sign. Total wall sign area will exceed the maximum size by approximately 2 SF, or 1% of the total sign area. Staff feel this is a negligible overage amount and the new sign is visually proportional to the building frontage and existing sign.

#### **Additional Comments:**

**Fire:** None received

**City Engineer:** None Received

#### **Recommendation**

Staff recommend approval of the minor change to the sign package as submitted.

#### **Planning Commission Action**

The Planning Commission has significant leeway when reviewing and approving sign packages within the Planned Commercial District. The Planning Commission may approve the sign packages as submitted or make revisions as it sees fit.



## **Planning Commission Decision Record**

WHEREAS, on May 24, 2022, the applicant, Melissa Barrett, requested approval of a Minor Change to Increase the Wall Sign Area at Kohl's/Sephora at the Northpark Center, further identified as Parcel Number P70 02025 0002 of the Montgomery County Auditor's Map (Case MC 22-24), and;

WHEREAS, on June 14, 2022, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

\_\_\_\_\_ moved to approve the request by the applicant, Melissa Barrett, for approval of a Minor Change to Increase the Wall Sign Area at Kohl's/Sephora at the Northpark Center (FP 22-26) in accordance with the recommendation of Staff's Memorandum dated June 4, 2022, with the following conditions:

1. Approve as submitted

Seconded by \_\_\_\_\_. Roll call showed: YEAS: \_\_\_\_\_ NAYS: \_\_\_\_\_ Motion to recommend approval carried \_\_\_\_\_.

\_\_\_\_\_  
Terry Walton, Chair  
Planning Commission

\_\_\_\_\_  
Date

## SIGN POLICY

## NORTHPARK CENTER

Huber Heights, Ohio

## General Sign Criteria Information

1. This policy consists of written information which shall prescribe the physical characteristics of all signs oriented so as to be seen from the exterior of the various buildings comprising the Northpark Center development. The written policies contained herein establish the basic parameters for signs. Unless a sign or graphic is permitted by this policy, it shall be prohibited except as provided herein. Exceptions and amendments to this policy requires consent of the Landlord and the City of Huber Heights. Amendments to the Sign Policy to modify or add to the text or graphic exhibits shall be evaluated in keeping with the goal that signs be visually harmonious with the building or structure on which they are placed and reinforce a sense of overall continuity.
2. Exterior signs shall indicate the name and/or logo of the establishment.
3. Each exterior wall mounted sign shall be internally lighted. No flashing, moving, action or, roof top, panel (on walls) or audible signs are permitted.

4. Temporary signs by individual tenants, other than for interim store identification (tenants who have occupied space and are having a permanent identification sign fabricated), is strictly prohibited. Banners or other temporary signing will be permitted, when approved by Lessor/ Zoning Administration of the City of Huber Heights for sales promotion events.
5. If applicable, rear door or service door signage indicating tenant name and address may be required. Copy color shall be white. Numerical address copy height shall be four (4) inches and alphabet copy height shall be a maximum of two (2) inches. The layout and location of the name and address of the tenant on the doorway shall be consistent in accord with the lease exhibit.
6. Tenant or building occupants shall secure all necessary approvals and permits from governmental authorities, which is separate from and in addition to Lessor's approval. A copy of each such permit or approval shall be provided to Lessor prior to installation or modification of any sign requiring such a permit. Lessee shall provide its Sign Contractor with a copy of this policy and criteria.
7. Signs consisting of individual letters and/or logos shall have metal returns, which shall be painted to match the color of the facade along with the raceway, if any, on which it is

mounted. The copy color, size and placement of letters and logo shall be as specified else where in this policy.

8. Sign copy colors shall be red, white, green, yellow, or blue with a maximum of two (2) colors for any single tenant sign. Logos shall have no more than three (3) colors.
9. All signs, except as otherwise provided, shall be neon illuminated from within if lit.
10. **Area and Number of Sign Guidelines**
  - a. Single occupancy buildings may display up to three (3) tenant identification signs on the building with a maximum area for an individual sign not to exceed 100 square feet with an aggregate area not to exceed 250 square feet.
  - b. A tenant in a multi-tenant building (such as the shopping center) will be allowed to have a sign on each face of the building which is viewable from a highway or street. The maximum area for a tenant sign is 100 square feet with a maximum aggregate sign area not to exceed 200 square feet. Tenants who occupy over 60,000 sq. ft. will be allowed signage up to a maximum of 250 sq. ft. on a single building face and a maximum

aggregate sign area not to exceed 500 sq. ft. Tenants who occupy over 20,000 sq. ft. will be allowed signage up to a maximum of 200 sq. ft. on a single building face and a maximum aggregate sign area not to exceed 400 sq. ft. unless tenant elects to have only one (1) identification sign in which event the maximum area for that sign will be 250 sq. ft.

c. The specific area and locations of signs shall be within the above stated limits and be evaluated by Lessor/ Zoning administrator of the City of Huber Heights to insure that the signage makes sense visually considering the architectural features and design of the building, with the goal of fostering sign consistency throughout the development and eliminating sign clutter and crowding of signs.

d. Buildings with more than one sign shall treat all signs as primary. That is, rear or side of building signs will be of the same quality and maintained to the same standards as the primary or front of building signs.

11. All tenant signage shall be subject to Landlord's approval. The Landlord may impose stricter standards than those contained in the sign policy.

12. **Free Standing Identification Signs**

- a. The Shopping Center shall be permitted one ground mounted pylon identification sign on Interstate 70. Such sign shall not exceed 80 feet in height nor 880 sq.ft. on a single sign face. Sign may have up to 2 faces.
- b. Primary sign - shall be permitted on SR 202 at an entrance to the shopping center. This sign shall not exceed 40 feet in height nor 594 sq. ft. on a single sign face. Maximum of 2 faces are permitted.
- c. Each additional ingress/egress point may be signed with a secondary site sign not to exceed 4' in height nor 16' sq. ft. in sign face per side. Maximum of 2 faces are permitted.
- d. At the discretion of the shopping center owner, up to 100 square feet of the primary sign may be used for a changeable copy sign to display messages related to occupants of the center or activities therein.
- e. The area immediately around the base of the sign shall be landscaped. Landscaping shall not be required which would prevent line of sight from the public streets.

13. Real Estate Signs

- a. Within the development one (1) ground mounted real estate sign shall be permitted for each structure with separate ownership or lease hold control. A maximum of two (2) Real estate signs will be permitted for unimproved out parcels. Said signs shall not exceed 16 square feet per face in size nor four (4) feet in height.
- b. For each tenant space available for lease, one (1) window or wall mounted real estate sign shall be permitted. Such sign shall not exceed 16 square feet.
- c. Unless it is incorporated into the message area of an identification sign, a real estate sign shall not be illuminated.
- d. All real estate signs shall be set back at least fifteen (15) feet from any right-of-way.

14. **Special Event Signs**

- a. The shopping center may periodically and from time to time hold special events. One (1) ground mounted sign per entrance will be permitted on each occasion to be placed within 50 feet of the entrance and within the landscaped or ground areas. Such signs shall be located at least fifteen (15) feet behind the public



right-of-way.

- b. Such signs shall not be displayed for a period of more than fourteen (14) days before or three (3) days after the event. The sign shall inform the public of a temporary event, and shall not include information concerning ongoing functions or activities.
- c. Such sign shall be a maximum of 24 square feet in area per face of a two-faced sign, and shall not be higher than six (6) feet. The sign shall be constructed of wood and mounted within the lawn area of the property.

15. Construction Signs

- a. One (1) construction sign not exceeding ten (10) feet in height nor 75 square feet in area shall be permitted for the shopping center building which is under construction.
- b. One construction sign not exceeding six (6) feet in height nor 32 sq. ft. in area shall be permitted for individual tenant buildings while under construction
- c. Such signs shall be removed within ten (10) days of the initial occupancy of the structure.
- d. Such signs shall be set back at least fifteen (15) feet

from any public right-of-way and at least 25 feet from any residential property.

- e. Such signs shall not be illuminated.

16. **Freestanding Signs for Outlots**

- a. All ground signs shall be in a landscaped setting, and set back from the road a distance of fifteen (15) feet, and shall have a maximum height of six (6) feet from street grade level.
- b. The vertical dimension of the sign display area shall be no greater than 4 feet.
- c. Only one freestanding sign will be allowed per parcel, said sign may be double faced. The display area shall not exceed 32' square feet per face.
- d. All signs shall be of permanent construction and shall be subject to the provisions of the building code of the City of Huber Heights.
- e. Signs may be internally illuminated, back lighted or indirectly lighted. Illumination shall be turned off no later than one hour after closing.

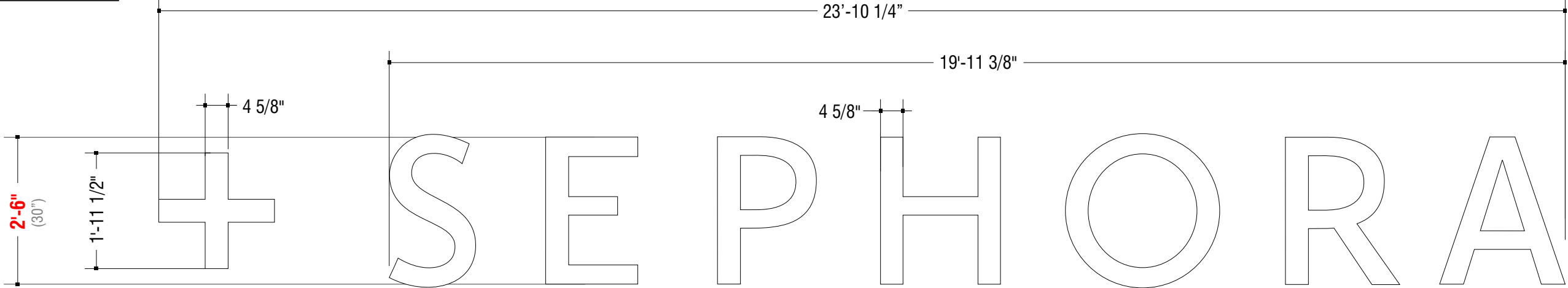
- f. Landscaping and planters shall not be measured as a part of the sign for the purpose of meeting horizontal and vertical size requirements.
  - g. The horizontal dimensions of the sign display area shall be no greater than 8 feet.
  - h. Such sign shall contain only the name or trademark of the business, building or building complex which it identifies and shall not contain change panels, advertising or names of individual tenants.
  - i. Sign is not to be moving, flashing action, or audible type.
17. All signs must be maintained at regular and necessary times and shall not be allowed to fall into disrepair.



**A** NEW 2'-6" (30") '+SEPHORA' LED LETTER SET is a separate/individual sign - 23'-10 1/4" x 2'-6" = **59.63 SF**  
Reference Drawing **#KS2102333A** for Details and Specifications

**B** EXISTING 5'-0" (60") 'KOHL'S' LETTER SET  
TO REMAIN AS IS

**Code:** Requires Planning Commission review, SF allowance otherwise not restricted



**A** LETTER SET LAYOUT  
59.63 SQUARE FEET

Scale: 1/2"=1'-0"

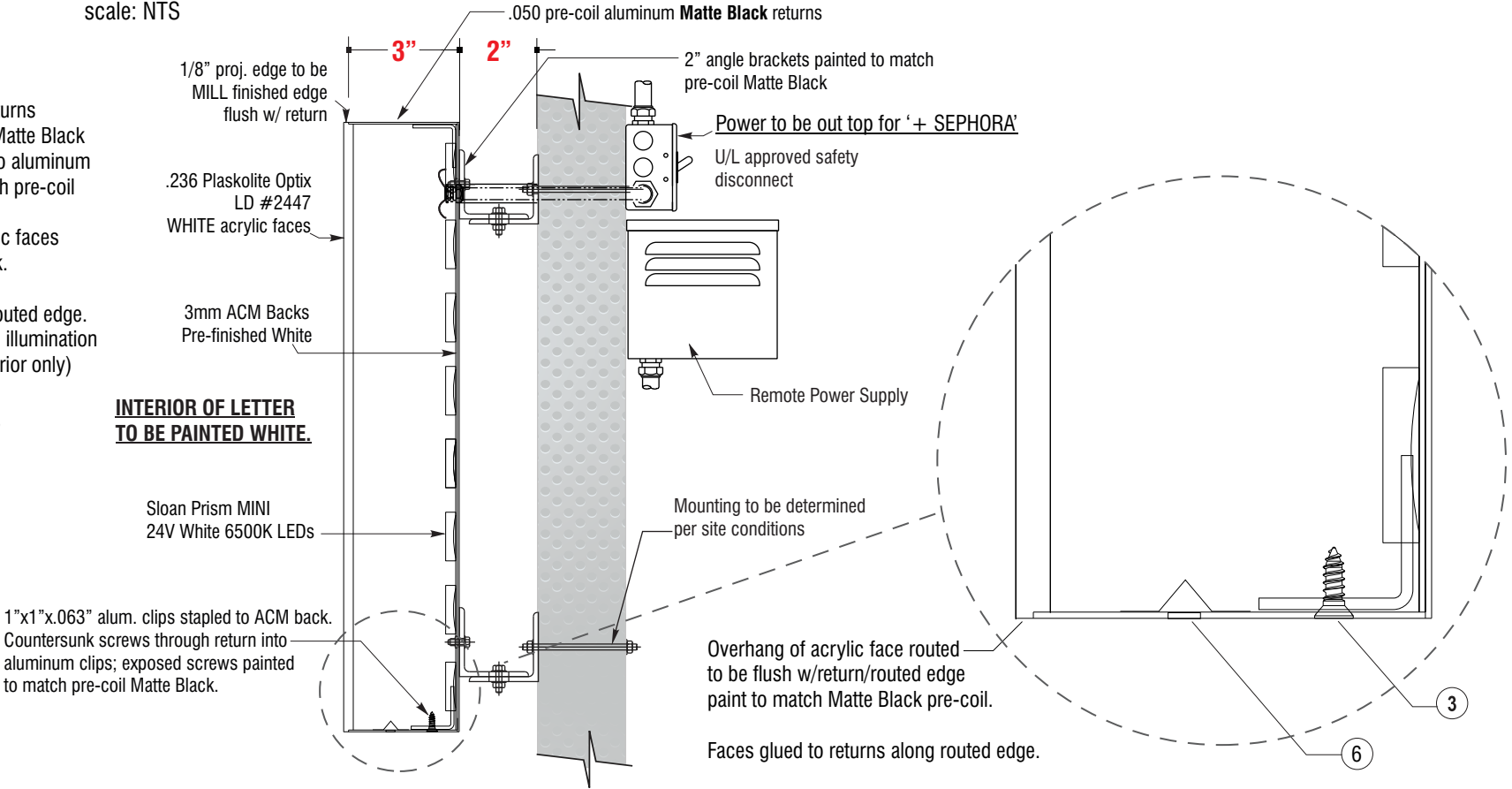
**General Letter Construction Section**  
scale: NTS

**SPECIFICATIONS**

1. .050 pre-coil aluminum Matte Black returns
2. 3mm ACM letter backs PTM pre-coil Matte Black
3. Countersunk screws through return into aluminum clips; exposed screws painted to match pre-coil Matte Black.
4. Plaskolite Optix LD #2447 White acrylic faces w/visible routed edge PTM Matte Black. Faces to be glued to letter returns. Faces to be masked prior to painting routed edge.
5. Sloan Prism MINI 24V white 6500 LED illumination
6. 1/4" weep holes with light baffles (exterior only)

\*weep hole(s) w/light baffles per mfg. standards  
\*caulk required  
\*UL Listed Product

**INTERIOR OF LETTER  
TO BE PAINTED WHITE.**



**COLOR SCHEDULE:**

- Retainerless .236 Plaskolite Optix LD #2447 WHITE acrylic faces
- .050 pre-coil aluminum **Matte Black** returns
- ACM backs finished to match pre-coil Matte Black.

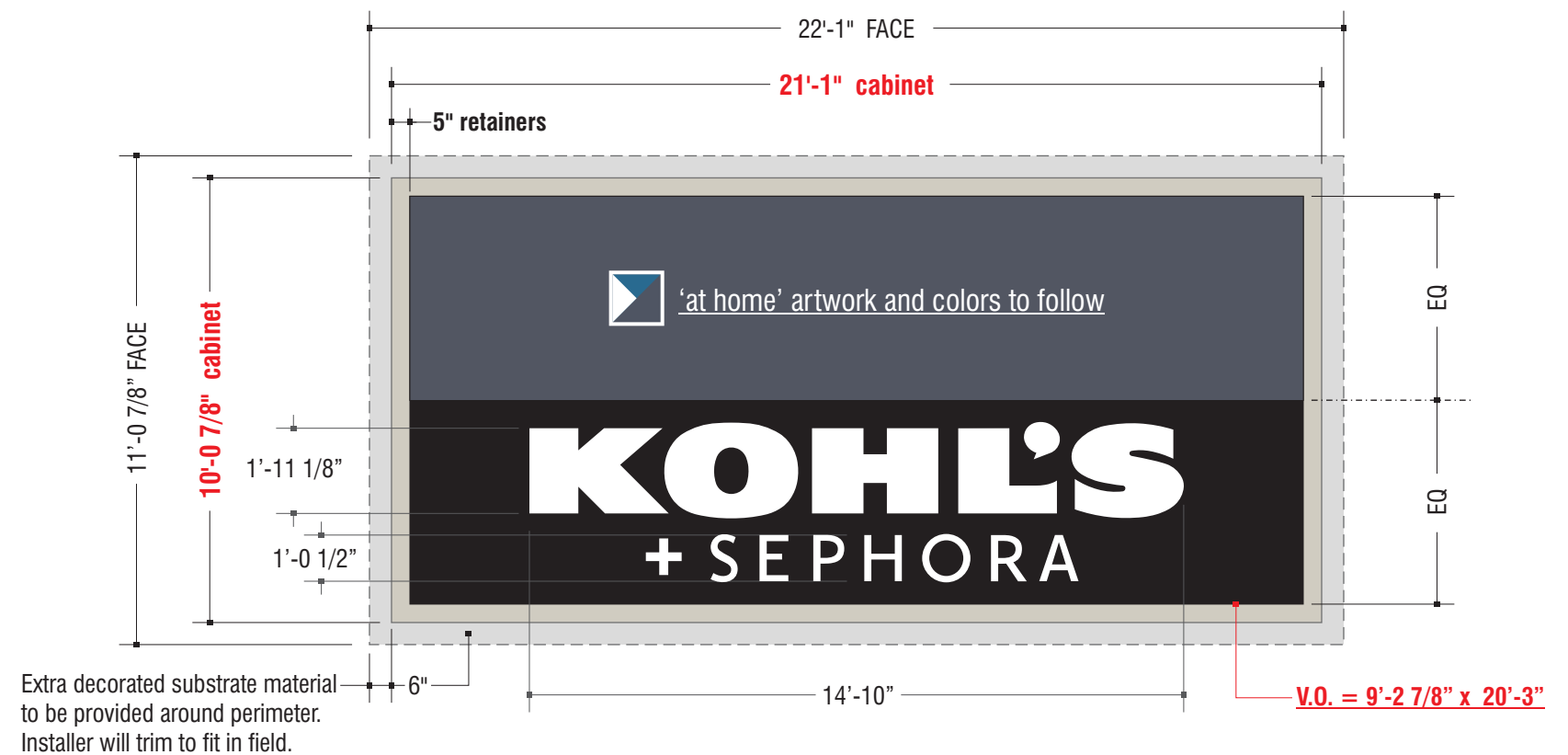
**INSTALL NOTE:**  
Kieffer Installer to determine appropriate fastener type based on specific wall construction

8301 Old Troy Pike, Rte. 202 - Huber Heights, OH





**- EXISTING SHARED FACES WILL BE REMOVED AND REPLACED AS SHOWN/NOTED.**



## GENERAL SPECIFICATIONS

Scale: 1/4"=1'-0"

**(2) Sets Req.**

PYLON FACES will be 3M Flexible Substrate w/ 1st surface applied 3M vinyl.  
See Color Schedule.

## COLOR SPECIFICATIONS

3M #3630-22 Black Vinyl

☐ WHITE translucent copy (weeded)

 'at home' artwork and colors to follow

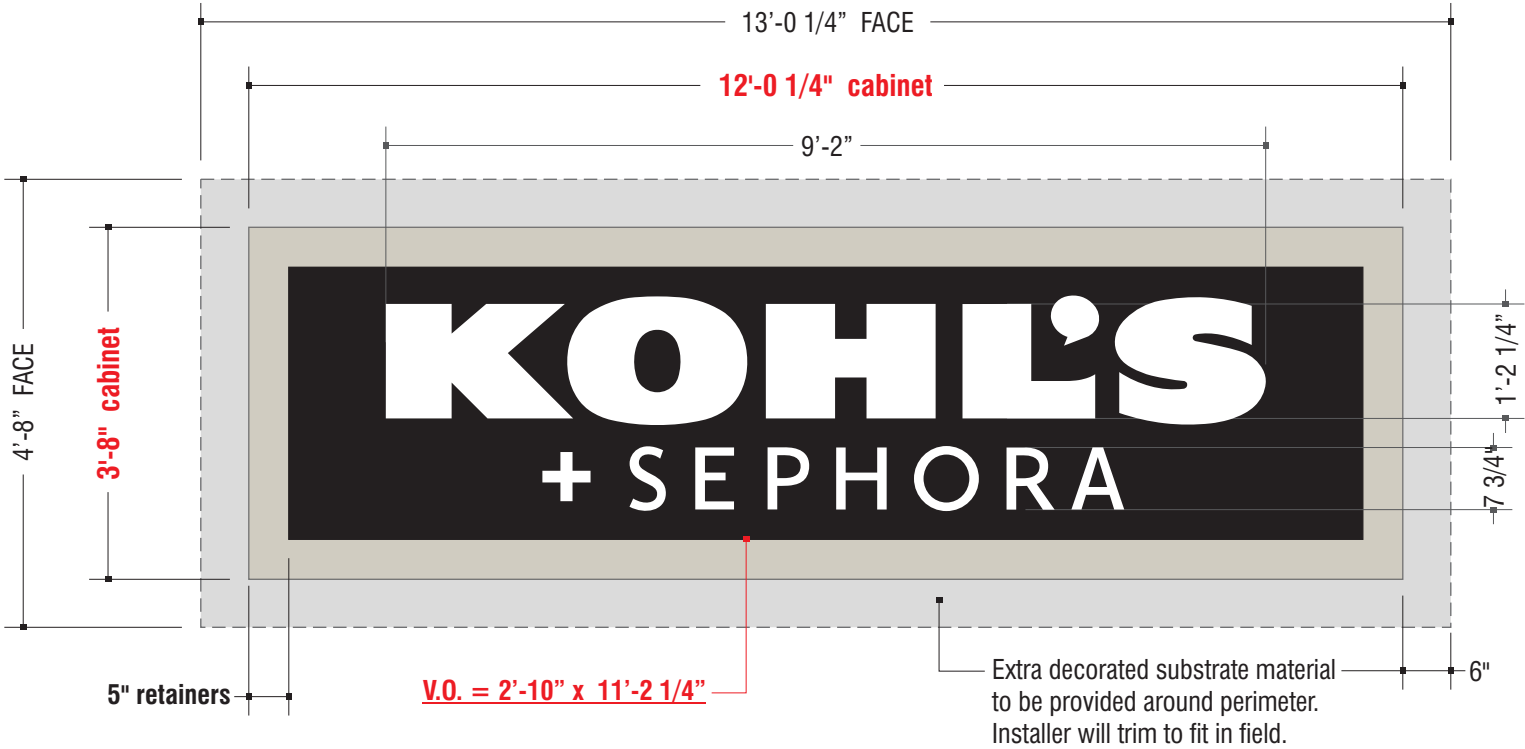
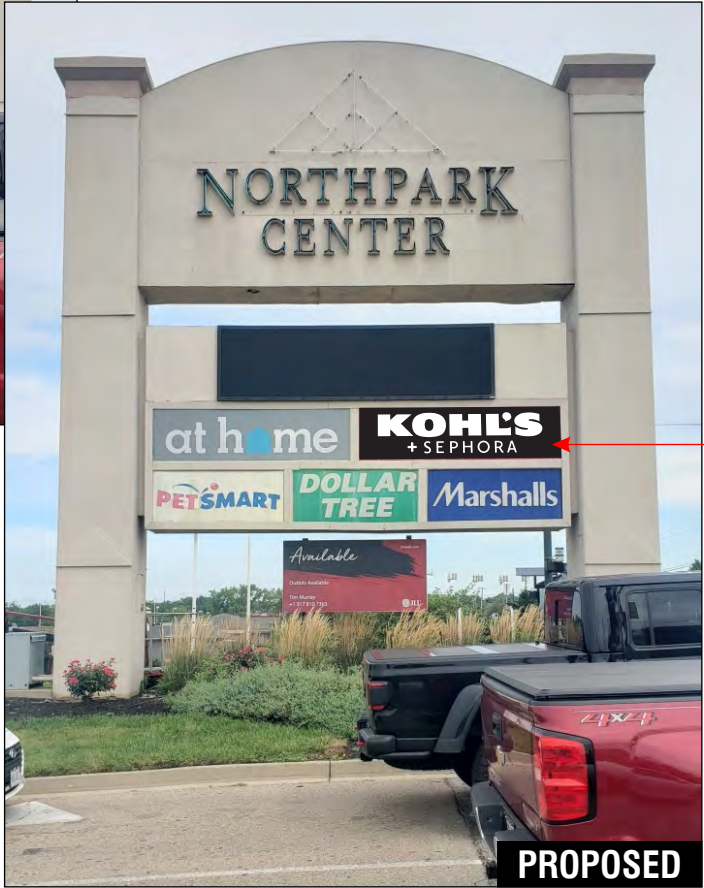
**NOTE: VERIFY ALL SIZES w/ INSTALLER PRIOR TO MFG.**  
**\*\* 'at home' artwork (EPS file) will need to be obtained \*\***

**SURVEY AND DRAWING  
UPDATES REQUIRED**

8301 Old Troy Pike, Rte. 202 - **Huber Heights, OH**



EXISTING 'KOHL'S' FACES WILL BE REMOVED  
AND REPLACED AS SHOWN/NOTED.



**D** GENERAL SPECIFICATIONS Scale: 1/2" = 1'-0"

(2) Sets Req.

PYLON FACES will be 3M Flexible Substrate w/ 1st surface applied 3M vinyl.  
See Color Schedule.

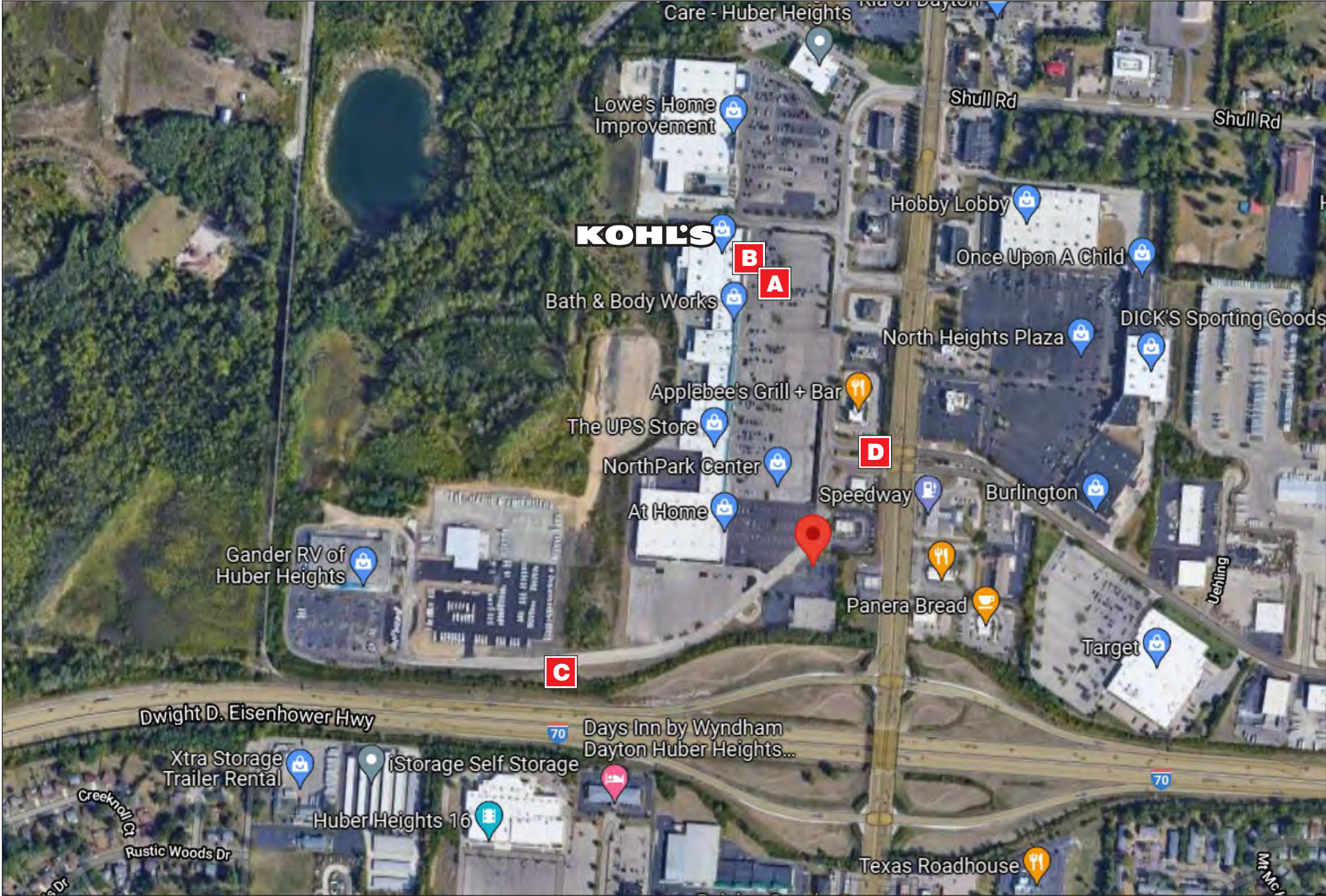
**COLOR SPECIFICATIONS**

☒ 3M #3630-22 Black Vinyl ☐ WHITE translucent copy (weeded)

**NOTE: VERIFY ALL SIZES w/ INSTALLER PRIOR TO MFG.**

**SURVEY AND DRAWING  
UPDATES REQUIRED**





- A** NEW 30" '+SEPHORA' LED Channel Letter Set
- B** Existing 5'-0" (60") KOHL'S Channel Letters to remain
- C** D/F Tenant Pylon Sign - REFACE ONLY
- D** D/F Tenant Pylon Sign - REFACE ONLY

8301 Old Troy Pike, Rte. 202 - Huber Heights, OH

REVISIONS:		INITIALS & DATE:
<b>A</b>	-	-
<b>B</b>	-	-
<b>C</b>	-	-
<b>D</b>	-	-
<b>E</b>	-	-
<b>F</b>	-	-
<b>G</b>	-	-
<b>H</b>	-	-



AI-8468

7. D.

**Planning Commission**

Meeting Date: 06/14/2022

Basic Development Plan and Rezoning

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Information

Agenda Title

BASIC DEVELOPMENT PLAN AND REZONING - The applicant, HARTMAN I, LLC, is requesting approval of a Basic Development Plan and Rezoning to Planned Office (PO). Property is located at 7611 Old Troy Pike (RZ BDP 22-13).

Purpose and Background

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Attachments

Staff Report

Decision Record

Drawings

Fire Assessment

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# Memorandum

Staff Report for Meeting of June 14, 2022

To: Huber Heights City Planning Commission

From: Aaron K. Sorrell, Interim City Planner  
Community Planning Insights

Date: June 4, 2022

Subject: Basic Development Plan Review – Medical Facility  
(7611 Old Troy Pike)

Application dated June 3, 2022

Department of Planning and Zoning		City of Huber Heights
APPLICANT/OWNER:	Hartman I, LLC – Applicant Huber Heights ABG, LLC - Owners	
DEVELOPMENT NAME:	Huber Heights Medical Facility	
ADDRESS/LOCATION:	7611 Old Troy Pike (Currently Rural King parking/display area)	
ZONING/ACREAGE:	Planned Commercial - 1.1 acres	
EXISTING LAND USE:	Parking / Display Area	
ZONING ADJACENT LAND:	Planned Commercial	
REQUEST:	The applicant requests approval of a basic development plan and rezoning to Planned Office to construct a 10,800 SF emergency medical facility.	
ORIGINAL APPROVAL:	N/A	
APPLICABLE HHCC:	Chapter 1171, 1173, 1181,	
CORRESPONDENCE:	In Favor – None Received In Opposition – None Received	

## **STAFF ANALYSIS AND RECOMMENDATION:**

### **Overview**

The applicant requests approval of a basic development plan and rezoning from Planned Commercial to Planned Office to construct a 10,800 square foot healthcare facility for outpatient and emergency services. The applicant anticipates an initial volume of 30 – 40 patients per day, with a maximum of 50 – 60 a day once the facility is established.

The site plan for this development has evolved no less than four times since the application was originally submitted, and the City Council has requested the Planning Commission review the latest revision prior to their consideration of the rezoning and basic development plan approval request.

The Planning Commission originally heard this case on April 12, 2022. The original application had no direct access to Taylorsville Road. Prior to the Planning Commission meeting a revised plan was submitted which included a “Right-in / Right-out” on Taylorsville to facilitate site access. The access aligned with a large sewer easement on the eastern side of the site. There was significant discussion among the Planning Commission members regarding this access point and its close proximity to the bank driveway and the Old Troy Pike intersection. Ultimately, the Commission recommended approval of the rezoning and basic development plan with the access point on the eastern side.

Based on the location and depth of the sewer line, and a desire to have full turn access from Taylorsville into the site, the applicant revised the site plan and moved the building slightly west and relocated the access point to the west side of the site. Staff received the revised site plan on April 28, 2022, prior to the May 3<sup>rd</sup> City Council Work Session.

During the work session there was considerable discussion and concern expressed about adding the curb cut along Taylorsville Road. At the City Council meeting, there was additional concerns expressed about the curb cut access along Taylorsville Road.

The applicant has worked with Rural King to obtain an access agreement along the Taylorsville frontage, which enabled the elimination of the curb cut along Taylorsville Road. Subsequently, the applicant has submitted a revised site plan that utilizes the existing Rural King access point along Taylorsville. The site plan also moves the identification sign to the western side of the site.

City Council has requested the Planning Commission review the revised site plan and make a recommendation prior to Council moving forward with the rezoning legislation.

## **Staff Analysis**

This site plan revision goes a long way to addressing the Taylorsville Road access concerns of the Planning Commission and City Council. The revised site plan conforms to the PO district regulations including parking and buffering. The revised plan also allows the possibility of aligning driveways along Taylorsville at some future point when the Rural King property is redeveloped or improved.

### **Conformance with Zoning Regulations:**

#### **1173 (PO) Planned Office District**

The proposed use is principally permitted in the PO district.

The required 15-foot perimeter yard is provided in the revised site plan.

#### **Chapter 1181 General Provisions**

The proposal meets the requirements of Chapter 1181, with the exception of the following items are not illustrated on the Basic Development Plan:

- Street trees shall be placed every 40-feet along the public street.
- No exterior lighting plan was submitted. Unless otherwise directed by the Planning Commission, parking light fixtures shall not exceed 25 feet in height.
- Mechanical, waste, and service screening is not illustrated with great detail, but shall comply with the zoning code.

#### **Chapter 1182 Landscaping and Screening Standards**

The Basic Development Plan indicates potential locations for landscape islands and trees within the parking areas. Additional detail shall be provided during the detailed development plan phase.

#### **Chapter 1185 Parking and Loading**

The proposal generally meets the requirements of Chapter 1185. The applicant is illustrating areas for parking island landscaping. Based on the interior programming, 45 spaces required, and 50 spaces are illustrated. The applicant is working with Rural King on the exact language to allow access through the Rural King parking area.

## Chapter 1189 Signs

The applicant is requesting a mixture of signage including one ground mounted sign, three corporate wall signs, three “Emergency” wall signs and one “Ambulance” canopy sign.

The original site plan had the ground mounted sign located on the eastern edge and the applicant requested an 8-feet tall with a sign area of 80 square feet. The height was to account for the grade change between the site and 5/3<sup>rd</sup> bank.

The code suggests a height limit of 6-feet and not exceed 75 square feet in sign area. The ground sign has been relocated to the western edge of the site, and the grade change should no longer be a factor.

The two “Emergency” wall signs are 75 square feet each, and the three corporate wall signs are 50 square feet each, totaling 300 square feet. The code suggests single wall signs shall not exceed 75 square feet each, and a cumulative total of no more than 150 square feet. If the commission considers the “emergency” signs to be exempt, the wall signs are compliant.

The “Ambulance” canopy sign is 35 square feet and mounted above the canopy. The code suggests canopy signs are only permitted along street frontage and may not project above the canopy. While not along a street frontage, the canopy covers the ambulance entrance and a variance from the code requirements seems reasonable.

## Recommendation

Staff feels the standards of approval outlined in 1171.06 can be met and therefore staff recommends approval of the rezoning from Planned Commercial to Planned Office and approval of the basic development plan with the following conditions:

1. Street trees shall be placed every 40-feet along Taylorsville Road.
2. The applicant shall comply with Chapter 1181.18 Screening of Service Structures.
3. The applicant shall comply with Chapter 1181.21 Lighting Standards.
4. The applicant shall comply with Chapter 1182 Landscaping and Screening.
5. Wall and canopy signs shall be similar to those submitted in the sign package submitted to the Planning Commission on April 12, 2022.
6. Ground signs shall not exceed 6-feet in height.
7. Applicant shall comply will all fire code requirements.

### **Planning Commission Action**

Planning Commission may take the following actions with a motion to:

- 1) Approve the rezoning and basic development plan application, with or without conditions.
- 2) Deny the basic development plan.
- 3) Table the application in order to gather additional information.



## **Planning Commission Decision Record**

WHEREAS, on June 3, 2022, the applicant, Hartman I, LLC, requested approval of a Basic Development Plan and Rezoning to Planned Office (PO) to construct a 10,800 SF Emergency Medical Facility located at 7611 Old Troy Pike (Case RZ BDP 22-13), and;

WHEREAS, on June 14, 2022, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

\_\_\_\_\_ moved to approve the request by the applicant, Hartman I, LLC, for approval of a Basic Development Plan and Rezoning to Planned Office (PO) to construct a 10,800 SF Emergency Medical Facility at property located at 7611 Old troy Pike (Case RZ BDP 22-13) in accordance with the recommendation of Staff's Memorandum dated June 14, 2022, with the following conditions:

1. Street trees shall be placed every 40-feet along Taylorsville Road.
2. The applicant shall comply with Chapter 1181.18 Screening of Service Structures.
3. The applicant shall comply with Chapter 1181.21 Lighting Standards.
4. The applicant shall comply with Chapter 1182 Landscaping and Screening.
5. Wall and canopy signs shall be similar to those submitted in the sign package submitted to the Planning Commission on April 12, 2022.
6. Ground signs shall not exceed 6-feet in height.
7. Applicant shall comply will all fire code requirements.

RZ BDP 22-13 – Decision Record

Seconded by \_\_\_\_\_ Roll call showed: YEAS:    NAYS:    Motion to recommend approval carried \_\_\_\_ .

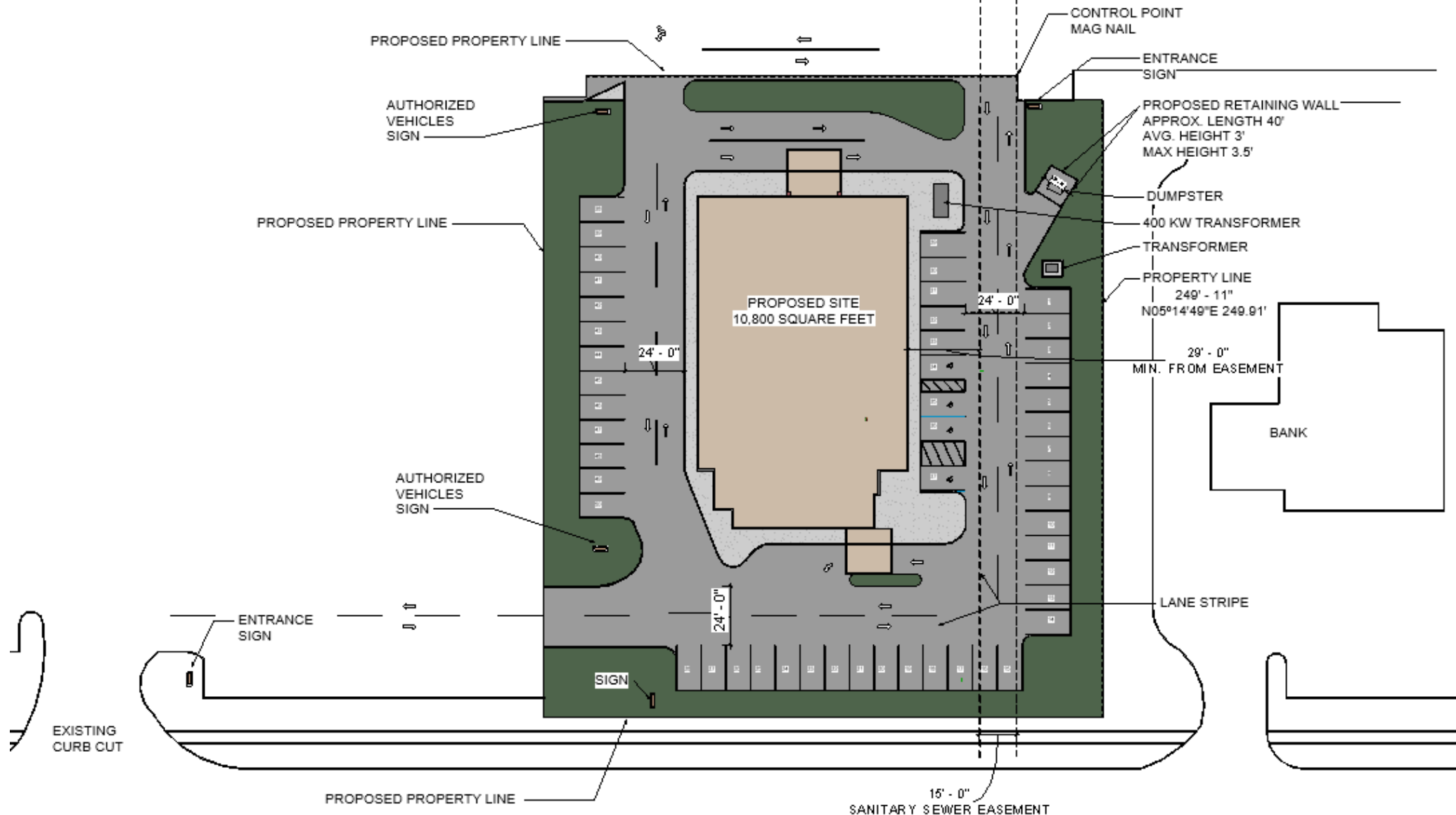
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Terry Walton, Chair  
Planning Commission

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Date





SCALE TO FIT

TAYLORSVILLE ROAD  
HUBER HEIGHTS, OHIO



Fifth Third Bank & ATM

Fifth Third Bank & ATM



e Rd Huber Heights, Ohio



**Fifth Third Bank & ...** ✕

Fifth Third Bank & ATM...

39.86°N, 84.14°W




2D





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Huber Heights, Ohio



Fifth Third Bank & ...

Fifth Third Bank & ATM...

39.86°N, 84.14°W





orsville Rd Huber Heights, Ohio



**Fifth Third Bank & ...** ✕

Fifth Third Bank & ATM...

39.86°N, 84.14°W

Taylorville

Google









# Huber Heights Fire Division

**Inspections require two business days advance notice! (OAC)1301:7-7-09(A)(5)**

Occupancy Name:	Medical Building – Revision 1		
Occupancy Address:	7611 Taylorsville Road		
Type of Permit:	HHP&D Site Plan		
Additional Permits:	Choose an item.		
Additional Permits:	Choose an item.		
MCBR BLD:	N/A	HH P&D:	
MCBR MEC:		HHFD Plan:	22-053/22-120
MCBR ELE:		HHFD Box:	14
REVIEWER:	Susong	DATE:	6/10/2022

## **Fire Department Comments:**

**The Huber Heights City Code Part 15 Refers to Fire Code Requirements and has adopted by reference OFC and IFC Appendices**

**Plan submittal is approved as shown on drawing. Proposed use has not been clarified on drawing. Cover sheet indicates medical facility. Additional requirements regarding fire department access and fire hydrants may be forthcoming during development.**

- Submitted drawing is not to scale, therefore turn radius for fire department apparatus access has not been verified.**
- Site utility drawing has not been provided. Additional hydrants may be required.**
- If building is to be sprinklered a hydrant will be required within 75 feet of the fire department connection. Huber Heights Codified Ordinance 1521.01(e).**

Please reference contact information below for questions or concerns with this document.

Plans reviewed by the Huber Heights Fire Division are reviewed with the intent they comply in **ALL** respects to this code, as prescribed in **SECTION (D) 104.1 of the 2017 Ohio Fire Code**. Any omissions or errors on the plans or in this review do not relieve the applicant of complying with **ALL** applicable requirements of this code. These plans have been reviewed for compliance with the Ohio Fire Code adopted by this jurisdiction. There may be other regulations applicable under local, state, or federal statutes and codes, which this department has no authority to enforce and therefore have not been evaluated as part of this plan review.

AI-8470

7. E.

**Planning Commission**

Meeting Date: 06/14/2022

Basic Development Plan

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Information

Agenda Title

BASIC DEVELOPMENT PLAN - The applicant, HOMESTEAD DEVELOPMENT, is requesting approval of a Basic Development Plan to construct 135-unit senior community and a 192-unit market rate community on a combined 15.56 acres. Property is located at 6209 Brandt Pike (BDP 22-25).

Purpose and Background

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Attachments

Staff Report

Decision Record

Drawings

Drawings

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# Memorandum

Staff Report for Meeting of June 14, 2022

To: Huber Heights City Planning Commission  
From: Aaron K. Sorrell, Interim City Planner  
Date: June 8, 2022  
Subject: BDP 22-25 Basic Development Plan - Marian Meadows

Application dated May 26, 2022

Department of Planning and Zoning

City of Huber Heights

<b>APPLICANT/OWNER:</b>	Homestead Development – Applicant City of Huber Heights - Owner
<b>DEVELOPMENT NAME:</b>	Marian Meadows
<b>ADDRESS/LOCATION:</b>	6209 Brandt Pike (rear lots of former Marian Shopping Center) P70 03912 0140
<b>ZONING/ACREAGE:</b>	PM – Planned Mixed Use / 15.56 Acres BPO – Brandt Pike Revitalization Overlay District
<b>EXISTING LAND USE:</b>	Vacant
<b>ZONING ADJACENT LAND:</b>	R-4 – West; PC – North; PM – East; PP/B-3 - South
<b>REQUEST:</b>	The applicant requests approval of a basic development plan to construct a 135-unit senior community and a 192-unit market rate community on a combined 15.56 acres.
<b>ORIGINAL APPROVAL:</b>	N/A
<b>APPLICABLE HHCC:</b>	Chapter 1171, 1179, 1180
<b>CORRESPONDENCE:</b>	In Favor – In Opposition –

## **STAFF ANALYSIS AND RECOMMENDATION:**

### **Overview:**

This project grew out from the Brandt Pike Redevelopment Plan (2017), which identified a need and demand for senior housing and market-rate multi-family housing along and near the Brandt Pike corridor. The City subsequently purchased the shopping center to facilitate redevelopment. New developments within this site include: Dayton Metro Library Huber Heights Branch, Dogtown, and the shopping center will be refaced with a brick / stone façade. TIF proceeds from the proposed apartment developments, as well as future developments may fund the façade and public infrastructure upgrades.

The applicant is requesting basic development plan approval for a 184-unit market-rate apartment community and a 135-unit senior apartment community.

### **Applicable Zoning Regulations**

The applicable zoning chapters include: 1171 General Provisions, 1179 Planned Mixed Use District, 1180 Brandt Pike Revitalization Overlay District, 1181 General Provisions. The relevant sections are cited and discussed below:

#### ***Chapter 1171 General Provisions***

##### ***1171.01 Purpose.***

*Planned Unit Developments Districts may be permitted as amendments to the zoning map, after application and approval of specific and detailed plans, where tracts suitable in location and character for the uses and structures proposed are to be planned and developed as units. The provisions of this chapter are adopted to unify planning and development in such districts. Applications for rezoning of land into a Planned Unit Development District shall be granted only when the basic development plan for the project is such that the public health, safety and morals shall not be jeopardized by a departure from the restrictions on corresponding uses in the standard zoning district. PUD rezonings may be approved only when a basic development plan for the area has been approved by Council. A detailed development plan shall then be approved for zoning permit to be approved for development in the District. Normally the detailed development plan shall be approved by the Planning Commission after the rezoning and basic development plan have been approved by Council. Owners shall have the option however, of submitting a combined basic and detailed development plan ("combined development plan") if they should so desire for some or all of the site.*

*(Ord. 93-O-602, Passed 3-22-93)*

##### ***1171.05 Contents of basic development plan.***

- (a) The basic development plan shall consist of at least the following information together with such other data and materials as may be required by the City:*
  - (1) Site plan showing the actual shape and dimensions of the lot to be built upon or to be changed in its use together with the location of the existing and proposed structures with approximate square footages, number of stories including heights of structures;*
  - (2) Typical elevation views of the front and side of each type of building;*

- (3) *Planning location and dimensions of all proposed drives, service access road, sidewalks and curb openings;*
  - (4) *Parking lot areas (show dimensions of a typical parking space), unloading areas, fire lanes and handicapped parking;*
  - (5) *Landscaping plan, walls and fences;*
  - (6) *Storm water detention and surface drainage;*
  - (7) *Exterior lighting plan;*
  - (8) *Vehicular circulation pattern;*
  - (9) *Location and square footage of signs;*
  - (10) *Topographic survey; and*
  - (11) *Listing of proposed uses taken from the list of permitted and special uses of the PUD zoning district to which rezoning is being sought.*
- (b) *The Planning Commission shall schedule both the proposed rezoning and the issue of approval of the basic development plan for a combined public hearing, following which it shall make its recommendation indicating approval, approval with modification or disapproval.*
- (Ord. 2006-O-1655, Passed 9-25-05)*

#### **1171.06 General standards for approval.**

The Planning Commission shall review the application, prepared development plan and the facts presented at the hearing. The applicant shall have the burden of proof. No approval shall be given unless the Commission shall find by a preponderance of the evidence that such PUD on the proposed locations:

- (a) Is consistent with official thoroughfare plan, comprehensive development plan and other applicable plans and policies;
- (b) Could be substantially completed within the period of time specified in the schedule of development submitted by the developer;
- (c) Is accessible from public roads that are adequate to carry the traffic that shall be imposed upon them by the proposed development. Further, the streets and driveways on the site of the proposed development shall be adequate to serve the residents or occupants of the proposed development;
- (d) Shall not impose an undue burden on public services such as utilities, fire and police protection, and schools;
- (e) Contains such proposed covenants, easements and other provisions relating to the proposed development standards as may reasonably be required for the public health, safety and welfare;
- (f) Shall be landscaped or otherwise improved and the location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the existing intended uses, and any part of a PUD not used for structures, parking and loading areas, or accessways;
- (g) Shall preserve natural features such as water courses, trees and rock outcrops, to the degree possible, so that they can enhance the overall design of the PUD;

- (h) Is designed to take advantage of the existing land contours in order to provide satisfactory road gradients and suitable building lots and to facilitate the provision of proposed services;
- (i) Shall place underground all electric and telephone facilities, streetlight wiring and other wiring conduits and similar facilities in any development which is primarily designed for or occupied by dwellings, unless waived by the Commission because of technical reasons;
- (j) Shall not create excessive additional requirements at public cost of public facilities and services and shall not be detrimental to the economic welfare of the community;
- (k) Shall not involve uses, activities, processes, materials, equipment and conditions of operation that shall be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors; and
- (l) Rezoning of the land to the PUD District and approval of the development plan shall not adversely affect the public peace, health, morals, safety or welfare.

(Ord. 93-O-602, Passed 3-22-93)

**1171.091 Planning commission/council review.**

*It is the purpose of the Planning Development regulations to encourage property owners to develop their land in efficient and effective ways. It is the intent of these regulations to encourage land uses which may not always meet traditional zoning rules. Inherent in these Planned Development regulations is an opportunity for property owners to develop their sites without requiring strict compliance with all zoning regulations where the overall plan is deemed to be in the best interest of the City. During review of a Basic or Detailed Development Plan by the Planning Commission or City Council, all requirements within Part 11, Title 7 of the Code are to be used as guidelines and may be varied as part of the Basic or Detailed Development Plan if it is determined that such deviation will not materially adversely affect neighboring properties or the community as a whole, any such variation of these requirements does not change the overall plan and character of the proposed development, and the variance does not have the effect of nullifying the intent and purpose of these regulations or the Zoning Ordinance. In granting variances or modifications, the Commission or Council may require such conditions as shall, in its judgement, secure substantially the objective of the standards or requirements so varied or modified.*

*(Case 427; Ord. 2002-O-1367, Passed 9-9-02)*

**Development Standards Analysis:**

**1179.06 Development standards (Planned Mixed Use)**

Except when specifically modified herein, the provisions of the Planning and Zoning Code shall govern. The following development standards apply to a PM development:

- (a) *Minimum Land Area Requirement.* A minimum of 20 acres shall be required.

While this application covers approximately 15.56 acres, the overall area zoned PM exceeds 20 acres.

- (b) *Covenants.* The developer of a PM development shall be required to submit a set of covenants or deed restrictions with the Basic Development Plan application that will outline, at a minimum, development standards and guidelines established in this chapter and any other requirements the developer and/or Planning Commission deems necessary. The Planning Commission may require additional or amended

covenants as it deems necessary to ensure compliance with the Planning and Zoning Code and the Planned Mixed-Use District.

Covenants will be created during the detailed development plan phase.

- (c) *Required Mix of Land Uses.* A developer shall be required to provide a mix of land uses in a PM Development. At a minimum, at least two of the following uses are required in a PM Development: residential, commercial, office, institutional, and/or industrial.

The area zoned PM has a mix of uses including retail, commercial, public use (library) and planned residential.

- (d) *Site Planning.*

- (1) The combination of different uses whether as part of one building or as part of the overall development shall be designed and developed so as not to create a nuisance by excessive noise, light, vibration, odor or any other annoyances for any uses within the development or neighboring properties.

All uses being considered are compatible with the neighboring properties. Extensive natural vegetation exists that will buffer and screen the proposed development and the existing homes to the west.

- (2) A PM development is to be designed so that buildings and structures are clustered and open space areas are preserved and maintained. Special care shall be given to protect preexisting natural features including, but not limited to, woodlands, ravines, streams, lakes, ponds, and/or flood plains. Impervious surface coverage, including, but not limited to, buildings, parking area, and accessways, shall not exceed 75 percent of the total development area. Therefore, 25 percent of the development area shall be reserved for green space.

The overall campus development is focused around a wet detention area and has large areas of open space. The combined proposed residential development sites are approximately 40% open space.

- (3) The number of ingress and egress points onto the public streets shall be limited in order to reduce the number of traffic conflict points. Adequate and properly arranged facilities for internal pedestrian and traffic circulations shall be provided. The street and thoroughfare network shall be designed to minimize truck traffic through residential areas of the development.

Access is limited to two required access points for each residential development.

- (4) Parking systems shall be designed so as to discourage single large unbroken paved lots for off-street parking and shall encourage smaller defined parking areas within the total parking system. Underground parking facilities are encouraged.

The parking areas are arranged for the convenience of the residents but are broken up with landscape islands and covered parking areas.

- (5) The development shall be designed to tie all the uses into one overall community and encourage walking, biking, running, and alternative modes of transportation. Developers are encouraged to incorporate bus stops, bikeways, walkways, and crosswalks into an overall thematic scheme for pedestrian traffic. Sidewalks shall be required except, in the case of a golf course or specific open space development, the Planning Commission may determine them to be unnecessary.

Sidewalks are indicated along the future road frontage of non-senior multi-family building. Staff recommends sidewalks also be provided for the senior facility residents.

- (6) Any signs as proposed within this district, shall comply with Chapter 1189 "Signs". Additionally, a developer of a PM development shall develop and submit with the Detailed Development Plan application, a comprehensive set of graphic design criteria for signage in the development. This set of graphic design criteria for signage shall be approved by the Planning Commission and shall apply to all signage requests within the development. The criteria shall include, at a minimum, the sizes permitted (if different from Chapter 1189), colors permitted, materials permitted, typefaces permitted, type size permitted, and permitted illumination. Compliance with the on-site comprehensive graphics shall be verified by the Zoning Administrator during the sign permit review process.

No sign details were provided for this application but will be submitted during the detailed development phase.

- (7) Minimum lot area, frontage and setback requirements may be varied to allow greater flexibility in design. However, the following shall be used as a guideline for development:
  - A. With multiple buildings on a single property, entirely residential buildings shall be at least 15 feet from another entirely residential building and at least 50 feet from nonresidential or mixed-use buildings.

All residential buildings are spaced according to the above requirements.

- (8) No maximum height restriction shall apply, except that the proposed development meets all Federal Aviation Administration (FAA), Dayton International Airport or Wright Patterson Air Force Base height or abatement requirements.

While no height maximum height restriction exists in the PM district, the Brandt Pike Overlay District has a maximum height of three stories or 35 feet. The proposed non-senior apartments have both two- and three-story buildings. The two-story buildings are 34 feet to the roof peak and the three-story buildings are 44 feet to the roof peak. The applicant is proposing the market-rate apartments will have mixture of two- and three-story buildings along the west side of the site, which is closest to the existing single-family neighborhood. This arrangement will breakup the building massing along the western edge and the buildings are sited approximately 150-feet from the back of the single-family homes.

The three-story senior buildings will also be at least 150-feet from the back of the single-family homes. Additionally, the building is oriented in such a way that only the endcaps, and not the full building length, are facing the single-family homes.

Staff feels both the market rate site plan and senior building site plan provides a significant visual buffer and a nine (9) foot variance from the maximum height is acceptable.

- (9) Common parking areas and accessways shall be lighted adequately with light fixtures that shall be designed to reflect light away from adjoining properties. Special attention will be given to protect entirely residential structures from light emitted from nonresidential land uses.

A lighting plan will be submitted with the detailed development plan.

- (10) Nonresidential uses shall have trash containers and/or receptacles (including recycling containers) placed to the rear of all structures and shall be screened or enclosed on four sides with opening doors for the purpose of trash removal. The placement of trash containers and/or receptacles in multi-family residential developments shall be as inconspicuous as possible. The use of a wooden or vinyl fence structure, earth mound, or wall with an opaqueness of 100 percent and a height of 12 inches above the top of the largest container is required.

Both developments indicate enclosed trash facilities. The screening details will be provided in the detailed development plan.

- (11) The architecture of nonresidential structures is encouraged to be unique yet similar in certain sections of the PM.

N/A

- (12) The distribution systems for utilities are required to be underground.

All utilities will be below ground.

- (13) The use of privately owned open space and public dedicated park land is encouraged as part of a PM development. Privately owned open space shall be maintained by the developer or by a duly authorized owner's association.

Two small dog parks are illustrated in the basic development plan of the market rate apartments. Overall, the developments have approximately 40% open space.

- (14) The use of chain link fencing is prohibited. Additionally, on an entirely residential property, no fencing shall be permitted in the front yard and, in the case of a corner lot, no fencing shall be permitted in the side yard with frontage to a public right-of-way. The covenants submitted by the developer shall establish the height requirements for fencing in the development. Fencing in a development shall be uniform in height in related use areas. On an entirely residential property, fence height shall not exceed six feet.

No fencing is currently illustrated on the plans.

- (15) With the submission of a Basic Development Plan application, the applicant is required to submit a phasing plan that details when certain sections of the development will commence construction and when the sections will be complete.

No phasing plans have been submitted to date, though staff expects the apartments to be constructed in one phase.

### **1179.07 Landscaping.**

To protect and promote a harmonious development that ensures a functional and logical arrangement of mixed uses, the effective and efficient use of landscaping and buffering is required. Therefore, a PM development shall include the following landscaping and buffering:

- (a) *Development Landscaping.* Within the PM development that is proposed, entirely residential buildings shall be screened from nonresidential and mixed-use buildings with a 20-foot-wide buffer strip that includes a six-foot-high earth mound, wooden or vinyl fence, wall, landscaping and/or mixture thereof that shall maintain an opaqueness of at least 80 percent year around. Parking areas, accessways, or any impervious surfaces are prohibited within this buffer strip. If planted materials are used, the screen must achieve the required height, width, and opaqueness within two years of planting. The use of pre-

existing trees, natural features or amenities as part of this buffer is encouraged. The Planning Commission may approve some other arrangement of buffering if it determines that such an arrangement meets the intent of this requirement.

A landscaping plan has not been submitted at this time. Staff recommends a mixture of street trees, and clustered plantings along the eastern edge of the market-rate and senior apartments. Staff feels a six-foot high earthen mound is inappropriate for this site and will interfere with pedestrian access from the apartments to the sidewalk network.

- (b) *Perimeter Landscaping.* In a section of a PM development that contains nonresidential, mixed use, or multi-family buildings that abut a neighboring property with a single-family residential zoning designation or in a PM development section that contains an entirely residential section that abuts a neighboring property with a commercial, office, or multi-family zoning designation, the perimeter of the section of the PM development shall be screened with a 25 foot wide buffer strip that includes a six foot high earth mound, wooden or vinyl fence, wall, landscaping and/or mixture thereof that shall maintain an opaqueness of at least 80 percent year-round. Parking areas, accessways or an impervious surfaces are prohibited within this buffer strip. If planted materials are used, the screen must achieve the required height, width, and opaqueness within two years of planting. The use of pre-existing trees, natural features or amenities as part of this buffer is encouraged. The Planning Commission may approve some other arrangement of buffering if it determines that such an arrangement meets the intent of this requirement.

The applicant is proposing a five-foot earthen mound and evergreen plantings along the west edge to screen the development from the existing single-family homes.

- (c) *Parking Lot Landscaping.* All parking lots are required to have interior landscaped areas as outlined in Chapter 1185, "Parking and Loading".

Areas for parking landscaping are illustrated in the basic development plan. The applicant shall submit additional details during the detailed development phase.

- (d) *Street Tree Requirement.* All frontage property within a PM development that abuts public rights-of-way and is developed with nonresidential, mixed use, and/or multi-family buildings is required to have one street tree per 40 feet of frontage planted just outside of the street right-of-way. Unless determined to be inappropriate by the City Engineer, street trees shall be planted at least four feet from the edge of the sidewalk on private property. All frontage property within a PM development along a major collector or better as defined by the Huber Heights Thoroughfare Plan, no matter what use, shall meet this requirement. The type of tree and size shall be proposed by the developer at the Detailed Development Plan application stage and approved by the Planning Commission. A list of appropriate trees with required caliper is available in the City Engineer's Office.

Street trees are not illustrated, but staff recommends street trees be provided at 40-foot intervals.

#### **1179.08 Parking and loading.**

The provisions of Chapter 1185, "Parking and Loading" shall apply, except that the off-street loading spaces and docks shall be provided with area, location and design appropriate to the needs of the development and specific uses within it, and the space designated for off-street loading shall not be used for off-street parking. Within the PM development, off-street loading areas shall be physically isolated and/or enclosed from residences in or adjacent to the PM Development. In all cases, off-street loading spaces and docks are prohibited in the front and side yards of any property.



The zoning code requires two-space per multi-family unit. In the non-senior community, the applicant is proposing 357 parking spaces for 184 units, or 1.94 spaces per unit. Of the 184 units, 84 are one-bedroom apartments which are less likely to have two vehicles. Additionally, most communities have begun reducing parking minimums of non-senior multi-family apartments to approximately 1.5 spaces / unit. Staff feels the amount of parking proposed for the non-senior community is adequate.

The applicant is proposing 134 spaces for 135 units, or .99 spaces per unit. Most senior living facilities have a 1:1 parking ratio because the majority of residents either live alone or only have one vehicle in the household. Staff feels the amount of parking provided is acceptable at this time. There is room to provide additional parking in the front of the building if management determines it's necessary in the future. However, at this point in time, staff does not think sacrificing greenspace for parking is necessary.

#### **1179.09 Planning commission/city council review.**

All requirements within this chapter are to be used as guidelines and may be varied as part of the Basic or Detailed Development Plan approval if it is determined that such deviation will not adversely affect neighboring properties or the community as a whole. Additionally, any variation of these requirements shall, in no case, change the overall plan and character of the proposed development.

This development falls within the Brandt Pike Overlay District. The entire zoning text is included for your reference. My recommendations are at the end of each section.

### ***CHAPTER 1180 (BPO) BRANDT PIKE REVITALIZATION OVERLAY DISTRICT***

#### **1180.01 Purpose; intent.**

- (a) The purpose of the Brandt Pike Revitalization Overlay District is multi-faceted. On a practical level, the Overlay District standards are meant to implement the recommendations of the Brandt Pike Target Revitalization Study (2017) which identify a number of public health, safety, and welfare issues on Brandt Pike, including traffic congestion, changing land uses, aging shopping centers, unattractiveness, and lack of identity. As this part of Huber Heights has come close to reaching build-out, the opportunity to address these issues comes through site-by-site redevelopment, which is an incremental process that will occur in fragments. It is because of this fragmentation, that a cohesive framework that channels or guides new building and construction is needed; otherwise, redevelopment on individual parcels or sites will occur independent of the larger Brandt Pike Corridor context, perpetuating the public health, safety, and welfare issues. The Overlay is such a framework and is intended to supplement the land uses and development requirements of the multiple underlying zoning districts while providing more specific development standards that unify this unique corridor's development pattern by regulating primarily the form (scale, alignment, and composition of buildings); parking and loading; site amenities; landscape design; lighting; and graphics. It is also aimed at encouraging and incorporating environmentally-friendly design, facilitating pedestrian connections to adjacent neighborhoods, as well as better connecting the corridor to its surroundings and serve as a tool to achieve the City's vision for redevelopment and help to create an identity for this vital corridor.
- (b) It is the intent of the City of Huber Heights Brandt Pike Revitalization Overlay District to improve the health safety and welfare of the citizens of Huber Heights through objectives which include, but are not limited to, the following objectives:

- (1) To establish parking standards with the specific intent of coordinating traffic between adjoining properties.
- (2) To reduce access points to improve traffic safety, circulation, and coordination.
- (3) To provide standards for screening of service and loading areas, HVAC equipment, and other areas determined to detract from the aesthetic qualities of the streetscape.
- (4) To regulate outdoor dining activities for the benefit of customers and pedestrians, while also preserving required parking and safe vehicular circulation.
- (5) To minimize the potential for increased traffic congestion by providing incentives that require shared access points, cross-access easements, shared parking areas, and quality public spaces.
- (6) To increase the number of pedestrian and vehicular connections between adjacent properties to provide complimentary and coordinated development of adjacent properties.
- (7) To provide regulating standards which require orderly, well-planned development and to ensure that the new buildings and additions enhance the surrounding streetscape, including incentives for burial of existing utilities within the right-of-way.
- (8) To use scale, building orientation and landscaping to establish community identity.
- (9) To effectively and efficiently regulate the establishment and maintenance of businesses requiring outdoor storage of vehicles, type and heights of signage, equipment or merchandise.
- (10) To establish a walkable streetscape by promoting a pedestrian orientation of streets and buildings and providing a safe and convenient interconnected sidewalk network.

#### **1180.02 Applicability to underlying zoning districts.**

- (a) The provisions of this chapter shall be applicable to all lands shown as being located within the boundaries of the "BP" Brandt Pike Revitalization Overlay District ("BP") on the Zoning Map and shall be supplemental to the regulations of the underlying zoning district.
- (b) Any and all development, redevelopment, improvements, or the like, including, but not limited to, signage, and any variance, modification, and/or conditional use request for property with the BP shall be subject to the procedures and provisions set forth in this Chapter 1180. Any changes to the underlying zoning of property within the BP shall not remove the property from the BP unless expressly specified in the rezoning approval.
- (c) The Planning Commission shall review the particular facts and circumstance of each proposed conditional use in terms of the requirements contained in this chapter and shall find by a preponderance of the evidence that applicant has either met or made a good faith attempt to meet each applicable provision.

#### **1180.03 Permitted uses.**

- (a) Uses permitted in the underlying zoning districts; and
- (b) Multi-family residential uses are permitted if incorporated into an overall mixed-use development.

#### **1180.04 Requirements for conditional use application.**

Any applicant desiring to improve property, submit a land development or perform an alteration to an existing building located in the Brandt Pike Revitalization Overlay District is required to apply for and obtain conditional use approval pursuant to the provisions of this chapter, and said application shall be governed by the standards and criteria set forth below. If a Special Use permit is required for the use under the Underlying zoning, the applicant may submit a single application for special use/conditional use.

Staff feels issuing a conditional use permit/approval for this type of development is confusing and unnecessary. Staff recommends incorporating the standards, where appropriate, in the overall basic development plan approval and subsequent detailed development plan approval. This section of the overlay district should be revisited in the future and revised for clarity and intent.

#### **1180.05 Conditional use general property standards and criteria.**

The Planning Commission shall review the particular facts and circumstance of each proposed conditional use in terms of the following requirements and shall find by a preponderance of the evidence that applicant has either met or made a good faith attempt to meet each of the following

- (a) Applicants shall be required to pursue, where physically feasible, cross-easement agreements with neighboring property owners for the purpose of creating a cohesive and efficient parking configuration and traffic circulation plan including pedestrian and vehicular connections.
- (b) Applicants shall be required to investigate the feasibility of and to reduce, to the extent possible, the number of existing curb cuts in order to improve traffic safety and circulation.
- (c) Appropriate fenced and/or landscaped screening shall be required around all HVAC equipment, service and loading areas, trash receptacles, and other areas deemed appropriate by the Planning Commission. A privacy fence, landscaped buffer and/or low shrubs shall provide screening along the side and rear property boundaries to residential zoning districts.
- (d) Applicants shall be required to investigate the feasibility of and, to the extent possible, consolidate two or more parcels, under separate ownership, prior to development, with the purpose of providing a more unified development.
- (e) The applicant shall appropriately landscape along the backside of the public sidewalk with low shrubs, ornamental walls and earth shaping or any combination thereof. In those instances where parking is located in front of the building, vehicular screening shall be provided between the street right-of-way and the building by low brick walls 24 to 36 inches in height from the curb elevation with a five-inch limestone cap or by landscaping of 100 percent opacity. The brick utilized in the wall shall match the brick used elsewhere in the corridor. Where it is determined by the Planning Commission that insufficient space exists for such landscaping, they may be located elsewhere on the lot, at locations determined acceptable by the Commission.
- (f) The applicant shall renovate existing building facades to provide a combination of masonry materials, such as stone, stucco, or brick and decorative elements around windows and doors, such as columns, pediments, and shutters, and new roof plan where flat roofs presently exist. All exterior walls of Commercial, Office, and Mixed-Use Buildings shall be 100 percent masonry materials as per City Code 1181.24(b)(1). All buildings in the Brandt Pike Revitalization Overlay District shall be architecturally finished on all sides utilizing four-sided architectural design so that there will be no apparent rear of any building where visible by surrounding roadways, as determined by the City. All buildings shall have a minimum of two distinct building materials from the approved list with secondary materials covering a minimum of ten percent of the total building façades. Window walls shall be considered windows by the City Code. All materials, colors, and architectural details used on the exterior of a building should be compatible with the building style, and with each other.

The applicant is proposing four-sided architecture with a mixture of stone, lap siding and shake-style siding. Windows are trimmed and highlighted with shutters.

- (g) The applicant shall bring the front facade wall and sidewalk into conformity with 1180.11 contained herein.

- (h) New developments shall be planned containing new streets and/or pedestrian ways such that no block within the development shall contain a block frontage greater than 600 feet in one direction and 400 feet in the opposite direction without an intervening street or pedestrian way.

One street frontage exceeds 600-feet, however since it abuts an existing development new cross streets are not feasible.

- (i) Shopping center out-parcels shall have an equivalent design treatment on all facades and shall be of a complimentary architecture to that of the shopping center.
- (j) Any right-of-way outside of the roadway shall be preserved for sidewalks and green area between the curb line and the front yard setback along the entire Brandt Pike, Chambersburg, Fishburg, Powell, Nebraska and Kitridge Road frontages.
- (k) Minimum green area: 20 percent, which may include any green area in the right-of-way as provided in Subsection J. If 20 percent green area is physically impossible, the applicant shall make a contribution in lieu of green area to the City of Huber Heights. Such contribution will be based on the assessed value of the property.

The applicant is proposing 40% open space.

- (l) A maximum of one 30-foot curb cut per street frontage shall be provided, unless additional curb cuts are approved by the City in order to accommodate existing or proposed circulation deemed desirable by the City, including installation of one-way movements limiting existing or proposed driveways to entrance or exit only. The applicant shall reduce the number and width of existing curb cuts when practicable.
- (M) A minimum of 250 feet must be provided between curb cuts and public street intersections. A minimum of 100 feet must be provided between curb cuts.

The development meets this standard.

#### **1180.07 Outdoor lighting.**

All outside lighting on the premises, including sign lighting, shall be arranged, designed, and shielded or directed so as to protect the abutting streets and adjoining property from the glare of lights, and lighting shall be so shielded that the source of the light shall not be visible from any point outside the premises. No flashing or intermittent or moving lights shall be permitted, either freestanding, attached to a facade, or as a part of an approved sign. This does not include digital changeable copy.

Lighting plans shall be provided during the detailed development plan stage.

#### **1180.08 Lots; setbacks; parking.**

The following dimensional requirements shall apply to all properties within the Brandt Pike Revitalization Overlay District:

- (a) Maximum building height: three stories, not to exceed 35 feet.

Please refer to my prior discussion on building height.

- (b) Front, side, and rear yard setbacks: The front, side, and rear yard setbacks shall be no less than ten feet, unless adjacent to an existing residential zoning district, in which case the minimum side and rear yard setbacks shall be 30 feet.

The development proposal meets this standard.

- (c) Lot coverage maximums shall be those of the underlying zoning district unless a mix of two or more uses is incorporated on site. In such case, all impervious surface areas, including building, parking, etc. shall not exceed more than 80 percent of the site for the entire development.

The development proposal meets this standard.

- (d) Parking setback. All parking shall be set back a minimum of ten feet from the ultimate right-of-way along all Brandt Pike and frontages. The parking setback along all collectors or residential streets may be zero feet from the ultimate right-of-way. A minimum of ten feet from the curb line shall be provided for the placement of sidewalks, landscaping and utilities.

The development proposal meets this standard.

- (e) Up to 25 percent of the required parking spaces may be replaced with landscaped area. This area is in addition to any other landscaping requirement.
- (f) Up to 25 percent of the required parking spaces for any development may be compact spaces reduced in total area, width or depth for designated compact vehicle parking. Each compact vehicle parking space shall not be less than nine feet in width and 18 feet in depth.
- (g) Parking Cap. Parking shall not exceed 110 percent of the minimum requirement. A fee shall be paid for each parking space added in excess in accordance with the fee schedule.

Based on these standards, the market-rate apartments meet the parking requirements.

- (h) Curbing. All parking and landscape areas shall be curbed with six-inch concrete except in cases where bioretention basins or similar storm water management methods are utilized. Extruded curb is prohibited.
- (i) Decorative, commercial-quality, bicycle racks, benches and trash receptacles shall be required for all retail and office developments unless specifically waived by the Planning Commission.
- (j) Dumpsters shall be screened on all sides by a minimum six-foot high brick or masonry wall with access via an opaque gate.

#### **1180.09. Sign and graphic standards.**

In addition to conformance with Chapter 1189 of the City of Huber Heights Planning & Zoning Code, all signs and graphics shall meet the following requirements:

- (a) Signs must positively influence the overall character and appearance of the streetscape and must be designed to complement the architecture of the building.
- (b) Franchise logos and identification signs shall be permitted only if they are appropriate in size and are integrated into the building façade and street character. This also includes patio umbrella graphics and signage.
- (c) Canopies designed as signs are prohibited.
- (d) Individual letters (either illuminated or nonilluminated) are considered preferable to sign cabinets.
- (e) Signs shall be illuminated only by the following means:
  - (1) By a white, steady, stationary light of reasonable intensity, directed solely at the sign and shielded or otherwise prevented from beaming directly onto adjacent properties or rights-of-way. Light fixtures shall be screened from view by site grading or evergreen shrubs. No exposed light sources (except in the case of a sign made of neon tubing) are permitted.

- (ii) By white interior light of reasonable intensity with primary and secondary images lit or silhouetted on an opaque background. The background must be opaque and preferably made of aluminum (as opposed to Plexiglas) with routed-out or push-through letters and graphics. No additional background lighting or illuminated borders or outlines shall be permitted.
- (f) Ground signs shall be set on grade or be placed on a low masonry base and to take on an architectural appearance compatible with the actual building and the streetscape. Maximum height of grounds signs is six feet from ground level in relation to the back of curb of the nearest street.
- (g) Wall signs are prohibited above the ground floor level or above a height of one inch below the second-floor window line, whichever is lower.

A sign package shall be provided during the detailed development phase.

#### **1180.11 Pedestrian standards.**

- (a) Sidewalks are required to connect the street frontage sidewalks to all front building entrances, parking areas, central open space and any other destination that generates pedestrian traffic.
- (b) Sidewalks shall connect to existing sidewalks on abutting tracks and other nearby pedestrian destination points and transit stops.
- (c) Striped crosswalks shall be installed at any major intersection or other location as determined by the Planning Commission.
- (d) Sidewalks shall be a minimum of four feet in width and separated from the curb line by a minimum of five feet of grass and landscaped area, which shall, in any event, comply with the design standards contained herein, unless specifically waived by the Planning Commission.
- (e) All sidewalks and pedestrian connections shall be located a minimum of five feet from any buildings to allow for landscaping, unless arcades or entryways are part of the facade.
- (f) Pedestrian circulation areas shall be provided and clearly defined by the use of sidewalks, walkways or textured or colored paving materials.

All sidewalks should be a minimum of five-feet per the subdivision requirements and to accommodate two people walking side-by-side comfortably.

#### **1180.99 Construction or implementation; permit issuance, invalidation.**

- (a) The Planning Commission may modify or waive specific requirements of this section as well as the requirements of Chapter 1185, Parking and Loading, if the Commission determines an improved development plan or better vehicular or pedestrian circulation will result.
- (b) Construction or implementation of the proposed conditional use shall comply with the plans submitted with the application except to the extent those plans are modified by the Planning Commission and shall also comply with all terms of the decision of the Commission.
- (c) The City shall issue a conditional use permit to the extent a conditional use has been permitted by the Commission. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted and shall constitute a violation of the City's Zoning Ordinance. The penalties for such violations are specified in Section 1125.99
- (d) A conditional use permit shall be deemed to authorize only one particular conditional use and such permit shall automatically expire if, for any reason, the conditional use shall cease for more than one continuous one year.
- (e) A conditional use permit shall be transferable, but only if and when the transferee signs a form provided by the City acknowledging that the transferee is bound by all terms and conditions of the prior approval and permit.

As stated before, the issuance of a conditional use permit for a permitted use is confusing and unnecessary. Staff recommends the Planning Commission waive the conditional use permit and incorporate the necessary standards in the basic development plan.

## **1181 General Provisions**

### **1181.20 Building materials for dwellings.**

- (b) *Dwellings Over One Story.* All first-floor exterior walls of dwellings over one story shall be constructed of brick or other approved masonry type of materials. Other exterior wall areas of dwellings over one story may be constructed of other code approved building materials; provided, however, no vinyl siding shall be permitted, unless permitted under subsection (c) hereof.

The applicant has submitted proposed elevations that that are consistent with this requirement.

### **Staff Analysis of Standards for approval**

*The Planning Commission shall review the application, prepared development plan and the facts presented at the hearing. The applicant shall have the burden of proof. No approval shall be given unless the Commission shall find by a preponderance of the evidence that such PUD on the proposed locations:*

- (a) *Is consistent with official thoroughfare plan, comprehensive development plan and other applicable plans and policies;*

This development is consistent with the comprehensive plan, which suggests this area be mixed use, as well as the Brandt Pike Revitalization Plan.

- (b) *Could be substantially completed within the period of time specified in the schedule of development submitted by the developer;*

While no phasing plan was submitted with the application, each apartment community will be constructed as one phase.

- (c) *Is accessible from public roads that are adequate to carry the traffic that shall be imposed upon them by the proposed development. Further, the streets and driveways on the site of the proposed development shall be adequate to serve the residents or occupants of the proposed development;*

New roads will be constructed for this development linking it to the existing transportation network.

- (d) *Shall not impose an undue burden on public services such as utilities, fire and police protection, and schools;*

The site is served by adequate utilities.

- (e) Contains such proposed covenants, easements and other provisions relating to the proposed development standards as may reasonably be required for the public health, safety and welfare;*

Draft covenants were not included in the application, however the standards set by the Planning Commission during the basic and detailed development planning process will be incorporated into the covenants before any zoning permit is issued.

- (f) Shall be landscaped or otherwise improved and the location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the existing intended uses, and any part of a PUD not used for structures, parking and loading areas, or accessways;*

The applicant is providing adequate screening between all uses.

- (g) Shall preserve natural features such as water courses, trees and rock outcrops, to the degree possible, so that they can enhance the overall design of the PUD;*

Some existing vegetation will remain, however there are no real natural features on this site.

- (h) Is designed to take advantage of the existing land contours in order to provide satisfactory road gradients and suitable building lots and to facilitate the provision of proposed services;*

The site plan takes advantage of the natural grade and existing contours to limit grading beyond the required storm water detention cells.

- (i) Shall place underground all electric and telephone facilities, streetlight wiring and other wiring conduits and similar facilities in any development which is primarily designed for or occupied by dwellings, unless waived by the Commission because of technical reasons;*

All utilities will be placed below ground.

- (j) Shall not create excessive additional requirements at public cost of public facilities and services and shall not be detrimental to the economic welfare of the community;*

This residential development should not create excessive additional requirements to the community.

- (k) Shall not involve uses, activities, processes, materials, equipment and conditions of operation that shall be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors; and*

Only residential uses are contemplated for this site.

- (l) Rezoning of the land to the PUD District and approval of the development plan shall not adversely affect the public peace, health, morals, safety or welfare.*

No rezoning is necessary.



### **STAFF RECOMMENDATION**

It is the staff's opinion the proposal meets the standards outlined in Section 1171.06. Staff recommends approval of the Basic Development Plan submitted on June 3, 2022 to construct approximately 184 market-rate apartments and 134 senior apartments within two residential communities. Staff recommends approval with the following conditions:

- 1) Sidewalks shall be required connecting the senior building and along the future roadway
- 2) All sidewalks shall be a minimum of 5' in width
- 3) Street trees be provided 40-foot on center
- 4) A sign package meeting code shall be submitted with the detailed development plans
- 5) A lighting plan shall be submitted with the detailed development plan
- 6) A landscaping plan shall be submitted with the detailed development plan
- 7) In lieu of mounding and screening along the new roadway, clustered landscaping areas shall be provided between the apartments and sidewalks.
- 8) The applicant will comply with all stormwater requirements, per the City Engineer;
- 9) The applicant will comply with all Fire Code requirements, per the Huber Heights Fire Department;

### **Planning Commission Action**

Planning Commission may take the following actions with a motion:

- 1) Approve the Basic Development Plan with or without conditions;
- 2) Deny the Basic Development Plan (the Commission should state the specific reasons for denial); or
- 3) Table the application.



## **Planning Commission Decision Record**

WHEREAS, on May 26, 2022, the applicant, Homestead Development, requested approval of a Basic Development Plan to construct a 135-unit senior community and a 192-unit market rate community on a combined 15.56 acres at 6209 Brandt Pike, further identified as Parcel Number P70 03912 0140 of the Montgomery County Auditor's Map (Case BDP 22-25), and;

WHEREAS, on June 14, 2022, the Planning Commission did meet and fully discuss the details of the request.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommended approval of the request.

\_\_\_\_\_ moved to approve the request by the applicant, Homestead Development, for approval of a Basic Development Plan to construct a 135-unit senior community and a 192-unit market rate community on a combined 15.56 acres at 6209 Brandt Pike (Case BDP 22-25), in accordance with the recommendation of Staff's Memorandum dated June 8, 2022, with the following conditions:

1. Sidewalks shall be required connecting the senior building and along the future roadway.
2. All sidewalks shall be a minimum of 5' in width.
3. Street trees be provided 40-foot on center.
4. A sign package meeting code shall be submitted with the detailed development plans.
5. A lighting plan shall be submitted with the detailed development plan.
6. A landscaping plan shall be submitted with the detailed development plan.
7. In lieu of mounding and screening along the new roadway, clustered landscaping areas shall be provided between the apartments and sidewalks.
8. The applicant will comply with all stormwater requirements, per the City Engineer.

BDP 22-25 – Decision Record

9. The applicant will comply will all Fire Code requirements, per the Huber Heights Fire Department.

Seconded by \_\_\_\_\_. Roll call showed: YEAS: NAYS: Motion to recommend approval carried \_\_\_\_.

\_\_\_\_\_  
Terry Walton, Chair  
Planning Commission

\_\_\_\_\_  
Date

# Southpoint Crossing

---

**HOMESTEAD****D**  
COMPANIES





## site overview

SCALE: N.T.S.

southpoint crossing  
PROPOSED MASTERPLAN | JUNE 3, 2022

HOMESTEAD  
COMPANIES

archall  
©2022 ARCHALL ARCHITECTS





**55+ community**

site area	6.0 acres
parking provided	134 spaces

**Homestead Apartment Community**

site area	8.1 acres
parking provided	320 spaces

**Retail + Restaurant**

site area	1.3 acres
parking provided	81 spaces

**Library, Public Use, Senior Center**

site area	9.1 acres
parking provided	219 spaces

**Medical Offices**

site area	4.7 acres
parking provided	306 spaces



**site plan // parcels**

SCALE: 1" = 200'-0"

southpoint crossing  
PROPOSED MASTERPLAN | JUNE 3, 2022



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**55+ Community**

area	6.0 acres
units	135
parking	134 spaces

**Homestead Apartment Community**

area	8.1 acres
units	192
parking	320 spaces
parking ratio	1.67/ unit



**site plan** // homestead

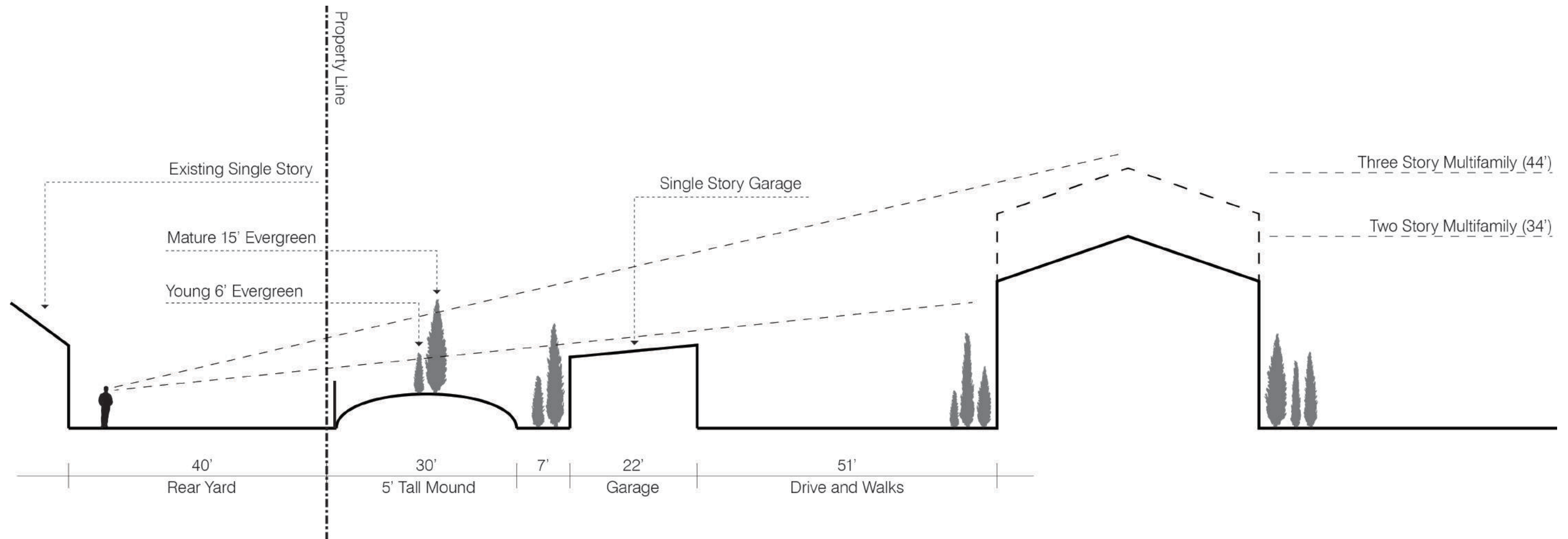
SCALE: 1" = 100'-0"

southpoint crossing  
PROPOSED MASTERPLAN | JUNE 3, 2022



©2022 ARCHALL ARCHITECTS





**sightline** // west property line

SCALE: NTS





southpoint crossing  
PROPOSED MASTERPLAN | JUNE 3, 2022

HOMESTEAD  
COMPANIES

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southpoint crossing  
PROPOSED MASTERPLAN | JUNE 3, 2022

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COMPANIES

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FRONT/BACK ELEVATION



SIDE ELEVATION



**STONE 01**  
product // provia  
color // lakepointe - dry stack  
// no grout



**SIDING 01**  
product // james hardie  
// hardieplank lap siding  
color // dorian gray  
SW 7017



**SIDING 03**  
product // shake siding  
color // white



**ROOF**  
product // tamko  
// dimensional asphalt  
shingle  
color // weathered wood



**SHUTTERS**  
product // na  
color // night owl  
SW 7061



**TRIM**  
product // na  
color // white





southpoint crossing  
PROPOSED MASTERPLAN | JUNE 3, 2022

**HOMESTEAD**  
COMPANIES

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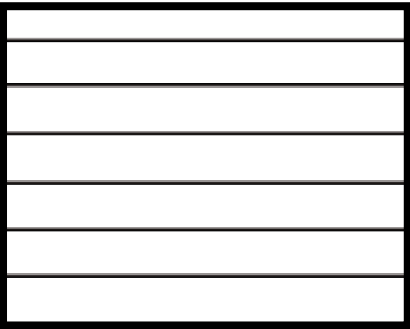


southpoint crossing  
PROPOSED MASTERPLAN | JUNE 3, 2022

**HOMESTEAD**  
COMPANIES

**archall**  
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**SIDING 01**  
product // james hardie lap siding  
color // arctic white



**SIDING 02**  
product // james hardie lap siding  
color // evening blue



**SIDING 03**  
product // hardie shingle siding  
color // arctic white



**STONE 01**  
product // taylor clay products  
color // executive grey



**SHUTTERS**  
product// na  
color // black



**TRIM**  
product// na  
color // arctic white



**ROOF**  
product // asphalt shingle



**FRONT ELEVATION**



**REAR ELEVATION**



**SIDE ELEVATION**



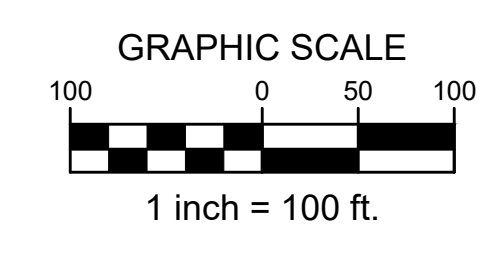
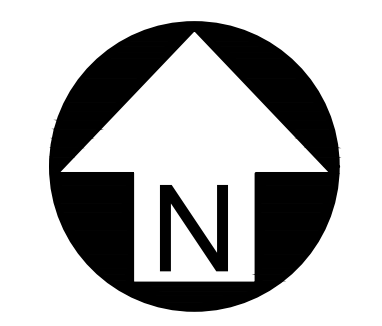


- GENERAL DEMOLITION NOTES**
1. Within the subject property, the intent is to have a clean, clear site, free of all existing items noted to be removed in order to allow for the construction of the new project.
  2. All items noted to be removed shall be done as part of the contract for general construction.
  3. Remove and dispose of any materials requiring removal from the work area in an approved off-site landfill.
  4. The Contractor shall secure all permits for demolition and disposal of demolition material to be removed from the site. The Contractor shall post all bonds and pay all permit fees as required.
  5. The Contractor shall cut and plug, or arrange for the appropriate utility company to cut and plug service piping at the property line or at the main (as required). All services may not be shown on this plan.
  6. For all items noted to be removed, remove not only above ground elements, but all underground elements as well, including, but not necessarily limited to: foundations, slabs, gravel fills, tree roots, pipes, wires, unsuitable materials, etc.
  7. The Contractor shall sawcut existing pavement to provide a clean edge between existing pavement to remain and existing pavement to be removed.
  8. Limits of removal shown on demolition plan are approximate only. Actual quantities may vary due to construction activities. Contractor is responsible for all demolition, removal and restoration work necessary to allow for the construction of the new project.
  9. Backfill excavations resulting from demolition work to meet the requirements for fill outlined in the Geotechnical / Soils Report.

EXISTING CONDITIONS FOR  
**MARIAN MEADOWS  
RESIDENTIAL**  
6007-6054 & 6061-6119 BRANDT PIKE  
HUBER HEIGHTS, MONTGOMERY COUNTY, OHIO



Design: HB	Proj: 22.112
Draw: HB	Dwg: 22.112.dwg
Check: JDB	Tab: C1-EC
Scale: 1" = 100'	
Date:	06.03.2022
Sheet:	EXISTING CONDITIONS
Sheet No.:	C-1.0







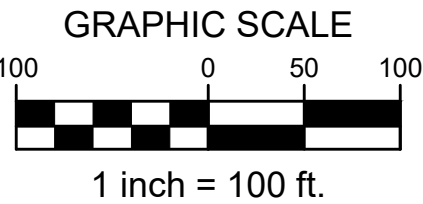
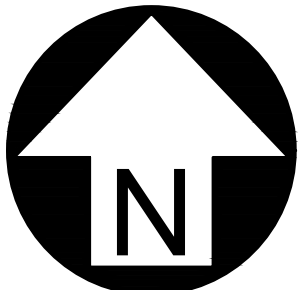




GENERAL GRADING, EARTHWORK & DRAINAGE NOTES

1. All spot elevations indicated in pavement areas are at bottom face of curb and/or finished pavement grade unless noted otherwise. All spot elevations indicated in grass or landscape areas are finished grade unless noted otherwise.
2. The Contractor shall be responsible for the removal and disposal of all vegetation and organic materials from the site that results from clearing & grubbing activities.
3. The Contractor shall be responsible for stripping and removal of all excess topsoil from the site. All topsoil that cannot be used on site shall be removed from the site at the Contractor's expense. The Contractor may dispose of excess topsoil by burying topsoil in landscape areas only at the direction of the Owner or the Owner's Representative.
4. The Contractor will be responsible for all safety requirements and for the protection of all existing and proposed utilities or structures during earthwork procedures.
5. The Contractor shall be responsible for the import of structural fill materials if suitable material is not available on site. The location and testing of suitable material shall be the Contractor's responsibility. The Contractor shall be responsible for the export and disposal of all excess or unsuitable materials.
6. The Contractor shall provide construction dewatering as necessary to complete construction as outlined in plans.
7. The Contractor shall exercise extreme care in establishing all grades and slopes in pavement areas, ramps and sidewalks in the vicinity of handicap parking and access areas and shall comply with Federal, State, and Local Codes.
8. In areas where sheet drainage flows from grass or landscape areas onto paved areas, the finished grade in grass or landscape areas shall be 1/2 inch above the top of curb or above the pavement in areas without curb. In areas where sheet drainage flows from pavement to grass or landscaped areas, the finished grade in grass or landscape areas shall be 1/2 inch below the pavement.
9. The Contractor shall provide positive drainage in all areas and away from all buildings.
10. All pavement shall be laid on a straight, even, and uniform grade with a minimum of 1:100 (1.0%) slope toward the collection points unless otherwise specified on plans. Cut or fill slopes in unpaved areas shall not exceed 3:1 (33.3%) maximum grade unless otherwise noted on plans.
11. ADA accessible areas shall not exceed the following slopes:  
Ramps - 1:12 (8.3%) max.  
Routes - 1:20 (5.0%) max.  
Parking - 1:50 (2.0%) max.  
Cross Slopes - 1:50 (2.0%) max.
12. The Contractor shall adjust tops/lids/grates of all existing and proposed cleanouts, manholes, inlets, valves, etc. to match final grade.
13. Following grading of subsoil to subgrade elevations, the Contractor shall provide 4" of topsoil (minimum) in all disturbed areas which are not to be paved. Final grades should be smoothly finished to surrounding areas and ensure positive drainage. Stockpiled topsoil shall be screened prior to respreading and should be free of subsoil, debris, and stones.
14. The Contractor shall be responsible for determining exact quantities of cut and/or fill for estimating and construction and should alert the Engineer of any excessive cut and/or fill, especially if additional cut and/or fill will be required due to poor existing soil conditions discovered during earthwork operations.
15. Refer to the Architectural and Structural Plans for information regarding any perimeter foundation drains.
16. The Contractor shall obtain a copy of the Geotechnical / Soils Report and become thoroughly familiar with site and subgrade information and fully implement recommendations given therein.
17. Proposed spot elevations are provided in a truncated form to save space, add 900' to each spot elevation to convert the elevation to NAVD88 datum.
18. Refer to the Landscape Plans for finish material specifications (topsoil, seed, sod, mulch, etc.) in all landscape and open space areas.

GRADING LEGEND	
INV	INVERT
TC	TOP-OF-CURB
TG	GRATE/RIM ELEVATION
	PROP. SHEET FLOW
+00.00	PROP. SPOT ELEVATION
+00.00	EXIST. SPOT ELEVATION
970	PROP. CONTOUR
969	EXISTING CONTOUR
	PROP. CATCH BASIN
.....	GRADE BREAK
ADD 900' TO SPOT ELEVATIONS ALL GRADES IN PAVEMENT AREAS ARE TOP OF PAVEMENT ELEVATIONS UNLESS OTHERWISE CALLED OUT.	



SITE DEVELOPMENT PLANS FOR  
**MARIAN MEADOWS  
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Design: HB	Proj: 22.112
Draw: HB	Dwg: 22.112.dwg
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Scale: 1" = 100'	
Date:	06.03.2022
Sheet:	GRADING PLAN
Sheet No.:	C-3.0

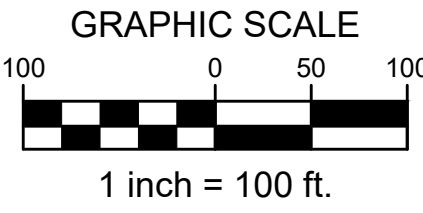
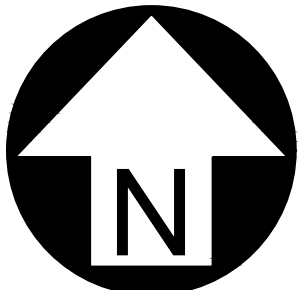






- GENERAL UTILITY NOTES:**
1. All utilities shown are approximate locations only and have been compiled from the latest available mapping. The exact location of all underground utilities shall be verified by the Contractor prior to the start of construction.
  2. Contractor to coordinate with the local utility companies for all locations and connections. A preconstruction meeting with the various utility companies may be required prior to the start of any construction activity.
  3. The Contractor shall visit the site and verify the location, elevation, and condition of all existing utilities by various means prior to beginning any excavation. Test pits shall be dug at all locations where existing and proposed utility lines cross, and the horizontal and vertical locations of the utilities shall be determined. The Contractor shall contact the Engineer in the event of any unforeseen conflicts between existing and proposed utilities so that an appropriate modification may be made.
  4. The Contractor shall ensure that all utility companies and local standards for materials and construction methods are met. The Contractor shall perform proper coordination with the respective utility company. The Contractor shall coordinate work to be performed by the various utility companies and shall pay all fees for connections, disconnection, relocations, inspections, and demolition.
  5. This plan details pipes up to 5' from the building face. Refer to the building drawings for building connections. Supply and install pipe adapters as necessary.
  6. All valve boxes and curb boxes shall be adjusted to the final grades and located in grassed areas unless indicated otherwise on the plans.
  7. The Contractor shall provide traffic bearing concrete collars and lids for all cleanouts, manholes, inlets, valves, etc. which are located in paved areas.
  8. All existing pavement within the rights-of-way where utility piping is to be installed shall be saw cut and replaced or directionally bored in accordance with Local and/or State requirements. Existing pavement shall be repaired as necessary.
  9. All utility lines and trenches shall be installed, bedded and backfilled according to manufacturer's specifications and to the satisfaction of Local and State Authorities.
  10. Sanitary sewer laterals shall maintain (10' min. horizontal, 1.5' min. vertical) separation distance from water lines unless otherwise shown, or additional protection measures will be required. Where water line crosses above sanitary lateral by less than 2' vertical, a concrete encasement shall be installed, Contractor shall center one joint of pipe at crossing.
  11. Roof drains, foundation drains, and other clean water connections to the sanitary sewer system are prohibited.

UTILITY LEGEND			
			PROP. INLET/MANHOLE/CLEANOUT
			PROP. DOWNSPOUT • BUILDING
			PROP. SANITARY SEWER
			PROP. WATER SERVICE
			PROP. STORM SEWER



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Design: JDB	Proj: 22.112
Draw: HB	Dwg: 22.112.dwg
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Scale: 1" = 100'	
Date:	06.03.2022
Sheet:	
UTILITY PLAN	
Sheet No.:	
C-4.0	

